



**Executive Board**

**Wednesday, 16 May 2007 2.00 p.m.  
Marketing Suite, Municipal Building**

A handwritten signature in black ink, appearing to read 'David W R'.

**Chief Executive**

**ITEMS TO BE DEALT WITH  
IN THE PRESENCE OF THE PRESS AND PUBLIC**

**PART 1**

<b>Item</b>	<b>Page No</b>
<b>1. MINUTES</b>	
<b>2. DECLARATIONS OF INTEREST</b>	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda no later than when that item is reached and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item.	
<b>3. APPOINTMENT OF LEADER AND DEPUTY LEADER OF THE COUNCIL</b>	<b>1</b>
<b>4. APPOINTMENT OF DEPUTY MAYOR</b>	<b>2 - 3</b>
<b>5. APPOINTMENT TO BOARDS, COMMITTEES, APPEAL PANEL AND WORKING PARTY</b>	<b>4 - 5</b>

*Please contact Lynn Cairns on 0151 471 7529 or e-mail [lynn.cairns@halton.gov.uk](mailto:lynn.cairns@halton.gov.uk) for further information.  
The next meeting of the Committee is on Thursday, 7 June 2007*

Item

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**6. ANNUAL REVIEW OF CONSTITUTION**

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***In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.***

**REPORT:** Executive Board

**DATE:** 16 May 2007

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Appointment of Leader and Deputy Leader of the Council

**WARDS:** Borough-wide

**PURPOSE OF REPORT**

To make a recommendation to the Council on the appointment of Leader and Deputy Leader for the 2007-2008 Municipal Year.

**REPORT TO:** Executive Board

**DATE:** 16<sup>th</sup> May 2007

**REPORTING OFFICER:** Strategic Director Corporate and Policy

**SUBJECT:** Arrangements for Appointment of Deputy Mayor

**WARD(S):** Borough-wide

### **1.0 PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to ask the Board to make a recommendation to the Full Council with regard to the appointment of the Deputy Mayor for the 2007/8 municipal year.

### **2.0 RECOMMENDATION – That Council be recommended to appoint Councillor Loftus to the post of Deputy Mayor for the 2007/08 Municipal Year.**

### **3.0 SUPPORTING INFORMATION**

- 3.1 The making of a recommendation to Council as to the appointment of the Mayor and Deputy is the constitutional responsibility of the Executive Board Sub Committee, which was acted upon in February of this year. However, subsequently to this, the results of the recent Local Government Elections mean that the post of Deputy Mayor must be reconsidered. Given the timescales involved, the Executive Board, as the “parent body”, is now being requested to carry out this role and make a recommendation to full Council.
- 3.2 The Council’s Mayoral Selection Guidelines provide for the selection of the Deputy Mayor to be based on the length of service with the Council (and its predecessor authorities).

### **4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS**

- 4.1 None.

### **5.0 RISK ANALYSIS**

- 5.1 N/A.

### **6.0 EQUALITY AND DIVERSITY ISSUES**

- 6.1 None.

**7.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE  
LOCAL GOVERNMENT ACT 1972**

7.1 None.

**REPORT:** Executive Board

**DATE:** 16 May 2007

**REPORTING OFFICER:** Strategic Director – Corporate and Policy

**SUBJECT:** Appointment to Boards, Committees, Appeals Panel and Working Party

**WARDS:** Borough-wide

**1. PURPOSE OF REPORT**

To constitute and make appointments for the Council's Boards, Committees, Appeals Panel and Working Party.

**2. RECOMMENDED: That the Executive Board recommends to the Council appointments to the Council's Boards, Committees, Appeals Panel and Working Party for 2007/2008.**

**3. SUPPORTING INFORMATION**

The Executive Board is asked to make appointments to serve on the following Boards, Committees and Appeals Panel.

Executive Board	(10)
Executive Board Sub-Committee	(3)
3MG Executive Sub-Board	(5)
Mersey Gateway Executive Board	(3)
Corporate Services Policy and Performance Board	(11)
Employment, Learning and Skills Policy and Performance Board	(11)
Safer Halton Policy and Performance Board	(11)
Healthy Halton Policy and Performance Board	(11)
Urban Renewal Policy and Performance Board	(11)
Children and Young People Policy and Performance Board	(11)
Regulatory Committee	(11)
Development Control Committee	(11)
Business Efficiency Board	(11)
Standards Committee	(5)
Appeals Panel	(20)
Local Development Framework Working Party	(15)

**4. POLICY IMPLICATIONS**

None.

**5. OTHER IMPLICATIONS**

None.

**6. RISK ANALYSIS**

None.

**7. EQUALITY AND DIVERSITY ISSUES**

None.

**8. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

There are no background papers under the meaning of the Act.

**REPORT TO:** Executive Board

**DATE:** 16<sup>th</sup> May 2007

**REPORTING OFFICER:** Strategic Director - Corporate and Policy

**SUBJECT:** Annual Review of Constitution

## **1.0 PURPOSE OF REPORT**

1.1 The purpose of the report is to seek the approval of the Council to a number of changes to the Constitution.

## **2.0 RECOMMENDATION:**

**2.1 That the Council be recommended to approve the changes to the Constitution as set out in the amended version of the Constitution enclosed herewith.**

## **3.0 BACKGROUND**

3.1 A revised version of the Constitution is enclosed (see disc) for members' consideration. The revised version picks up the changes to the Council's working arrangements that have taken place during the year, as well as other changes which will hopefully assist the Council to operate more effectively. The proposals for change have been considered by the Chief Executive and the Executive Board Member for Corporate Services in accordance with Article 16.02. Apart from the purely technical changes, the proposed amendments that are considered to be of significance are listed in Appendix 1 to this report.

## **4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS**

4.1 None.

## **5.0 RISK ANALYSIS**

5.1 The Council needs to ensure that its Constitution is regularly updated so that it continues to support efficient, transparent and accountable decision making by the authority.

## **6.0 EQUALITY AND DIVERSITY ISSUES**

6.1 None.



**Appendix 1 – Proposed Significant Changes to the Constitution**

**Chapter 2**

- The list of designated posts in Article 13 has been extended to include the Director of Children's Services and Director of Adult Services functions.

**Chapter 4**

- A number of technical changes have been made to Standing Orders relating to Finance (without changing the Council's financial control systems). Amendments have also been made to reflect the move of the Payroll Division to within the Operational Director – Human Resource's remit.
- Changes have been made to Procurement Standing Orders to simplify the EU procurement rules in line with the simplified regulatory framework introduced by the EU in 2006.
- Standing Orders relating to Accommodation have been amended to reflect the need for consultation with the Strategic Director – Corporate and Policy and the Corporate Services Portfolio Holder in line with the agreed Accommodation Strategy.

**Chapter 5**

- The Members' Code of Conduct has been amended to bring the Halton Code into line with the new Code issued on 3 May 2007. (See Appendix 2 for a further explanatory note as to the changes to be brought about. Further guidance will be issued to Members and incorporated in future training events.) The Chairman of the Standards Committee has been contacted and understands the need for the Code of Conduct to be put to the Council without it first being considered by the Standards Committee.

**Chapter 7**

- The Management Structure has been updated to reflect in-year changes.

**Appendix 4**

- The name of the Executive (Transmodal Implementation) Sub-Board has been amended to the 3MG Executive Sub-Board to reflect the role of the Board more clearly.
- The Terms of Reference of the Mersey Gateway Executive Board have been included.
- The Healthy Halton Policy and Performance Board remit has been updated to reflect its current role and responsibilities.

- The effects of the Gambling Act 2005 have been incorporated into the Regulatory Committee's remit in line with previous resolutions by the Committee and by Full Council.
- Provision has been made for the time when the Council Solicitor and Operational Director – Human Resources posts are combined into the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources) post, which will be effective mid-year.
- The Duties of Proper Officers has been amended to reflect the current directorate structures. The ability for the Chief Executive to appoint any other officer to act in his absence has also been included. The other changes in this section have largely been made to respond to amended policy or legislation.

## Appendix 2 - 2007 Code of Conduct

Following extensive consultation, the government has issued a new model code of conduct. This takes effect on 3 May 2007. The code is mandatory and will take effect by default on 2 October 2007 if not adopted beforehand by the Council.

The Standards Board is urging authorities to adopt the code as soon as possible. While additions can be made to the code, the Standards Board is not recommending that this should be done.

The changes made in the new code are likely to be broadly welcomed by Members as they address some of the perceived excesses in the old code. The main changes are:-

- The deletion of the obligation on a Member to report breaches of the code by other Members.
- The introduction of an explicit provision against bullying.
- The obligation not to disclose confidential material is amended so that this may now be disclosed where it is reasonable to do so and in the public interest.
- The restriction on improperly conferring an advantage on someone is amended so that this now includes an attempt to do so.
- The redefinition of a personal interest so that:
  - There is no interest if the interest is one shared with the majority of people in the Member's Ward [previously this was judged against the interests of a majority of people in the Borough];
  - The previous provision about interests of relatives and friends is replaced with one relating to family and to persons with whom a Member has a "close association".
- Changes to the operation of the prejudicial interest machinery. The test remains the same but these interests are now restricted to financial interests [and not well being ones]. Further, the requirement to leave a meeting is reduced so that a Member can remain in the meeting to make representations or answer questions on a matter provided that other members of the public can similarly do so [the Member withdraws after making the representations].

The Register of Interests will need to be completed afresh by each Member within 28 days of the adoption of the new Code