

**CIVIC AFFAIRS**14 May 2018  
6.00pm - 6.08 pm**Present:** Councillors McPherson (Chair), Benstead (Vice-Chair), Gawthrope, Holt, O'Connell and Robertson**FOR ADOPTION BY THE COUNCIL****18/29/Civ – Civic Affairs: Constitutional Amendments****Resolved:**

To recommend to Council the changes to the Constitution as set out below:

1. An amendment to the Committee designated as the Crime and Disorder Committee as required under the Police and Justice Act 2006, this will now be the Environment and Community Scrutiny Committee (extract of the amendment to the Constitution detailed below).

**6.1 Strategy and Resources (Scrutiny) Committee**

Terms of Reference
1. Overview and scrutiny of the functions for which the Leader (and Executive Councillor for Strategy and Transformation) is responsible.
2. Overview and scrutiny of the functions for which the Executive Councillor for Finance and Resources is responsible.
3. Overview and scrutiny of any functions exercised by the Executive collectively.
4. Overview and scrutiny of any Council functions which fall outside the remit of any other scrutiny committee.
<del>5. As required by Section 19 of the Police and Justice Act 2006 to be the crime and disorder committee with the power to review or scrutinise decisions made by the Council or by the Crime and Disorder Reduction Partnership.</del>

**6.2 Environment and Community (Scrutiny) Committee**

Terms of Reference
Overview and scrutiny of the functions for which the Executive

Councillors for (i) Communities (ii) Environmental Services and City Centre and (iii) Streets and Open Spaces are responsible

As required by Section 19 of the Police and Justice Act 2006 to be the crime and disorder committee with the power to review or scrutinise decisions made by the Council or by the Crime and Disorder Reduction Partnership.

2. Council is requested to note that the following transfer of Executive Councillor responsibilities and clarifications made by the Leader of the Council and to note the Leader's portfolio is renamed Executive Councillor for Strategy and External Partnerships.

Proposed Amendments to Part 3 Section 2.3, 2.5 and 2.9 of Constitution, deleted text ~~struckthrough~~ and additional text underlined.

Transfer of responsibilities

- In *italics and underlined*, to the Executive Councillor for Communities
- In CAPITALS AND UNDERLINED, to the Executive Councillor for Finance and Resources
- In **bold and underlined**, clarity on capital responsibility of the Executive Councillor for Housing

2.3 Responsibilities of the Executive Councillor for Strategy and Transformation External Partnerships

2.3.2 The Leader shall have power to determine which Executive Councillor shall have responsibility for the exercise of executive functions in cases of doubt or in cases for which provision has not been made in the Constitution.

2.3.3 The development, implementation and monitoring of the Council's plans, policies and strategies relating to:

- corporate objectives, policies and strategies of the Council subject, where necessary, to the approval of the Council and excluding those objectives, policies and strategies which are the responsibility of another Executive Councillor
- programmes which give direction to, and co-ordinate, the implementation of the Council's corporate policies and priorities, including Detailed oversight of

race equality, disability equality and equal opportunity in service delivery and Council policy

□ the need for, and the development of, new services and policy not within the terms of reference of other Executive Councillors

□ ~~Lead on Business Transformation, working with the Executive Councillor; specific~~ **RESPONSIBILITY FOR LEADING PLANS, WHERE NOT delegated OTHERWISE DELEGATED, FOR NEW EXTERNALLY FACING SHARED SERVICES, TRUSTS, SERVICE REVIEWS AND JOINT PROJECTS INVOLVING OTHER COUNCILS AND ORGANISATIONS** of taking lead on projects which involve the responsibilities of more than one Executive Councillor.

□ matters falling substantially within the Terms of Reference of more than one other Executive Councillor, where not otherwise delegated.

The exercise of the Council's functions and the delivery of services including

□ Strategy and Partnerships - including the devolution Combined Authority, City Deal, and the expansion of joint working with other councils, the Universities and other partners

□ **BUSINESS TRANSFORMATION – CREATION OF NEW EXTERNAL SHARED SERVICES, OR JOINT STRUCTURES INCLUDING TRUSTS AND JOINT PROJECTS WITH OTHER COUNCILS AND ORGANISATIONS WHICH INVOLVE THE RESPONSIBILITIES OF MORE THAN ONE OTHER EXECUTIVE COUNCILLOR**

□ All matters concerning national local government associations and corporate projects with Government, including council-wide bids for resources

□ The giving of any guarantee or incurring of any other commitments not specifically referred elsewhere

□ The exercise of compulsory purchase powers except where these are allocated to Executive Councillors relating to their portfolio responsibilities.

The development, implementation and monitoring of the Council's plans, policies and strategies relating to:

□ Data protection and freedom of information.

### **Functions and Services**

The exercise of the Council's functions and the delivery of services in respect of the areas listed in Paragraph 1 including, by way of illustration:

**Corporate And Other Services**

- The Independent Complaints Investigator Service
- The Council's emergency planning functions
- Democratic Services
- Other responsibilities which do not fall within the remit of another Executive Councillor.

**Civic functions (insofar as these are not within the remit of the Civic Affairs Committee)**

- Matters relating to the democratic functions of the Council, including
  - The mayoralty
  - Civic hospitality and town twinning and other partnerships with local authorities overseas
  - Relationships, including the appointment or nomination of Council representatives, with outside organisations not directly related to the programme area of any committee or other Executive Councillor.

**Community Safety Including the Community Safety Partnership, work with the police and the CCTV system and, working with the Leader, work with Cambridge police, the Police and Crime Commissioner and the Council's representative on the Police and Crime Panel.**

CONFIRM EXECUTIVE COUNCILLOR FOR FINANCE AND RESOURCES  
text on Constitution p40

Responsibility for all capital projects etc.

- except responsibility for housing development on council sites that includes significant new council housing or affordable housing

BUT AMEND

Management of all land and buildings held by the Council, except for:

○ property in use for specific operational purposes which fall within the responsibility of another Executive Councillor

**○ those parts of council sites developed for housing including new council housing, and dwellings held within the Housing Revenue Account and land held by the Council for housing purposes used for or in connection with the provision of facilities or amenities for local tenants or residents, which shall be the responsibility of the Executive Councillor for Housing.**

A clean version of Part 3 Section 2.3, 2.5 and 2.9 with amendments incorporated is detailed below.

## **2.3 The Leader and Executive Councillor for Strategy and External Partnerships**

2.3.1 The Leader shall be responsible for exercising functions on behalf of the Executive in the circumstances set out in the Council's Executive Procedure Rules in Part 4 of this Constitution.

2.3.2 The Leader shall have power to determine which Executive Councillor shall have responsibility for the exercise of executive functions in cases of doubt or in cases for which provision has not been made in the Constitution.

2.3.3 The development, implementation and monitoring of the Council's plans, policies and strategies relating to:

- corporate objectives, policies and strategies of the Council subject, where necessary, to the approval of the Council and excluding those objectives, policies and strategies which are the responsibility of another Executive Councillor
- programmes which give direction to, and co-ordinate, the implementation of the Council's corporate policies and priorities.
- the need for, and the development of, new services and policy not within the terms of reference of other Executive Councillors
- matters falling substantially within the Terms of Reference of more than one other Executive Councillor, where not otherwise delegated.

The exercise of the Council's functions and the delivery of services including

- Strategy and Partnerships - including the devolution Combined Authority, City Deal, and the expansion of joint working with other councils, the Universities and other partners
- All matters concerning national local government associations and corporate projects with Government, including council-wide bids for resources
- The giving of any guarantee or incurring of any other commitments not specifically referred elsewhere

- The exercise of compulsory purchase powers except where these are allocated to Executive Councillors relating to their portfolio responsibilities.

The development, implementation and monitoring of the Council's plans, policies and strategies relating to:

- Data protection and freedom of information.

## **Functions and Services**

The exercise of the Council's functions and the delivery of services in respect of the areas listed in Paragraph 1 including, by way of illustration:

### **Corporate And Other Services**

- The Independent Complaints Investigator Service
- The Council's emergency planning functions
- Democratic Services
- Other responsibilities which do not fall within the remit of another Executive Councillor.

### **Civic functions (insofar as these are not within the remit of the Civic Affairs Committee)**

- Matters relating to the democratic functions of the Council, including
  - The mayoralty
  - Civic hospitality and town twinning and other partnerships with local authorities overseas
  - Relationships, including the appointment or nomination of Council representatives, with outside organisations not directly related to the programme area of any committee or other Executive Councillor.

#### **2.4 Deputy Leader**

2.4.1 The responsibilities of the Deputy Leader are set out in the Executive Procedure Rules in Part 4 of this Constitution.

#### **2.5 Executive Councillor for Finance and Resources**

2.5.1 Strategic control of the use of the financial resources of the Council, (subject to the necessary financial approvals of the Council)  
Treasury Management including for the Housing Revenue Account  
Insurance and banking services

The approval of Council contributions towards projects being funded from the National Lottery

Supervision of the borrowing of money and management of the Council's cash flow

Management of other income and specific reserves

Other detailed financial management matters, including the writing off of debts except where the responsibility of the Executive Councillor for Housing

Collection and management of Council Tax, National Non-Domestic Rates and Housing Benefit.

Strategic information technology issues, information technology projects which either have implications for the Council as a whole or which fall significantly within the remit of more than one Executive Councillor.

- corporate implementation of improvements and efficiency reviews, and the development and monitoring of core performance indicators and targets
- Business Transformation-internal service reviews and responsibility for leading plans, where not otherwise delegated, for new externally facing shared services, trusts, service reviews and joint projects involving other councils and organisations. The creation of new external shared services, or joint structures including trusts and joint projects with other councils and organisations which involve the responsibilities of more than one other Executive Councillor
- Corporate and support services as exemplified under “Functions and Services” below.
- Procurement (at a strategic level - oversight of individual procurement exercises will remain with the portfolio-holder for the relevant service area).
- The policy and management of moorings
- Climate Change Policy

### **Trading Services**

- Council strategy to expand trading activities and additional income generation opportunities, including responsibility for those which do not fall within the remit of another Executive Councillor

### **Customer Services and ICT**

- Delivery of quality customer services and the customer access centre
- Corporate telephony and IT systems to support joined up customer service delivery.
- The delivery of front line services to Council customers through the Council's reception areas and telephone services
- Council's evolving digital strategy and the benefits it will deliver for residents, and also to staff in helping them do their jobs better and more easily

### **Property Matters**

- Leadership on corporate and cross-portfolio major capital projects and oversight of the council's overall capital programme, including the development, redevelopment, change of use or other major change to land or property owned by the Council considered by the Chief Executive to be major, significant or sensitive in terms of the Council's policies and priorities.
- Any realisation of assets programme which may be considered necessary to generate capital receipts for the Council.
- The approval of any proposal to re-allocate land between functions and any formal appropriation of land or property from one purpose to another.
- Management of all land and buildings held by the Council, except for:
  - property in use for specific operational purposes which fall within the responsibility of another Executive Councillor
  - those parts of council sites developed for housing including new council housing, and dwellings held within the Housing Revenue Account and land held by the Council for housing purposes used for or in connection with the provision of facilities or amenities for local tenants or residents, which shall be the responsibility of the Executive Councillor for Housing.
- The acquisition (by purchase or lease) of property by the Council.
- Management of the Council's office accommodation
- The Council's Land Charges service.



## **Shared Services and Service Reviews, and Employee and Management Matters**

To be responsible for:

- corporate service reviews and other efficiency and effectiveness reviews which involve the responsibilities of more than one other Executive Councillor, or have not been otherwise delegated.
- the performance of corporate and other shared services in meeting financial performance objectives in business plan, except that responsibility for operational matters in relation to non-corporate shared services shall be the responsibility of the appropriate other Executive Councillor.

To establish, monitor and ensure funding for Council-wide employment and training and apprenticeship policies and delivery

- To comply with all relevant employment legislation and the Council's corporate strategy, policies and objectives.
- To exercise strategic control of, and agree policies for, the use of the staffing, property and information technology resources of the Council.
- To co-ordinate and monitor the arrangements for employee Health and Safety at Work
- To oversee the provision of professional and central support services, including:
  - Corporate human resources support and information including training
  - Financial services
  - Legal services.

The relevant exercise of compulsory purchase powers.

## **2.9 Executive Councillor for Communities**

### **2.9.1 Plans, policies and strategies**

The development, implementation and monitoring of the Council's plans, policies and strategies relating to:

- The local welfare and community development needs of all neighbourhoods throughout the City.
- The provision, promotion and development of policies and programmes to provide children and young people to play and participate in community life, including providing direction and advice to other committees of the Council in pursuance of these aims; the provision and promotion of leisure, sporting, artistic and cultural activities
- Anti-poverty initiatives and the Sharing Prosperity Fund, including the powers and duties of the Council in respect of issues relating to tackling inequality and the provision of opportunities for individuals and communities in the City to overcome disadvantage
- The provision and promotion of advice relating to citizens' legal rights and responsibilities, social security benefits, money management , employment and immigration
- Supporting the Leader in the delivery of Equalities initiatives, and measures to tackle discrimination.
- Detailed oversight of race equality, disability equality and equal opportunity in service delivery and Council policy

## Functions and Services

The exercise of the Council's functions and the delivery of services including

- The powers and duties of the Council in respect of children's activities and youth facilities
- Community strategy including the powers and duties of the Council in respect of opportunities for individuals and communities in the City including:
  - education and self-development
  - play programmes
  - artistic, cultural, sporting and leisure activities and entertainments
  - the provision, maintenance and management of places of public entertainment, sport and recreation (including the Guildhall Halls)
  - council owned or operated community facilities
  - museums and art galleries
  - the Council's responsibilities for public health, working with the county council and health services.
  - health promotion
- **Community Safety** Including the Community Safety Partnership, work with the police and the CCTV system and, working with the Leader, work

with Cambridge police, the Police and Crime Commissioner and the Council's representative on the Police and Crime Panel.

Progressing the objectives set out in this section by:

- direct provision
- grant aid and other financial assistance to voluntary sector and other agencies
- partnership, joint work and liaison with public, private or voluntary sector organisations, including community and joint use agreements, community primary school agreements and support for national lottery projects
- regenerating and encouraging the development of community life and enabling local communities to take action on their own behalf
- giving advice and guidance to other Executive Councillors and committees of the Council on community engagement addressing, in particular, the needs of those experiencing social or economic inequality
- advocacy.

The relevant exercise of compulsory purchase powers.