

REPORT TITLE: Cambridge City Council Constitution

To:

Civic Affairs Committee (12th May 2025)

Report by:

Dan Kalley, Democratic Services Manager

Tel: Email: dan.kalley@cambridge.gov.uk

Tom Lewis, Head of Legal Practice and Monitoring Officer

Tel: Email: tom.lewis@3csharedservices.org

Wards affected:

All

Director Approval: The Chief Executive confirms that the report author has sought the advice of appropriate colleagues and given due regard to that advice; that the equalities impacts and other implications of the recommended decisions have been assessed and accurately presented in the report; and that they are content for the report to be put to the Committee.

1. Recommendations

1.1 That the Civic Affairs Committee Recommends:

1. That Full Council approve the draft Constitution, which includes the LGA model Code of Conduct, and for it to come into effect at the Annual Council meeting in May 2025.
2. To note the MO has responsibility to ensure the Constitution is up to date and lawful, including by making 'housekeeping changes' to ensure it is comprehensible and consistent as required.
3. To note that the Constitution will be reviewed within nine months and any further changes to be adopted through the correct channels.

2. Purpose and reason for the report

- 2.1 The report is presented to the Civic Affairs Committee as part of the process for recommending to Full Council the proposed changes to the Councils governance

arrangements and Constitution.

It is a statutory duty for the Council to maintain and keep under review a constitution which must comply with the provisions of the Local Government Act 2000, regulations made under it and Directions issued by the Secretary of State as to its contents.

- 2.2 Following the last Civic Affairs Committee meeting in March officers have reviewed comments submitted by both members of the Committee and the GDG. The GDG have met to review the comments made and some of those suggestions have now been incorporated into the draft constitution.

Council approved at an extraordinary meeting on 17 March the updated structure of committees and formal decision making committee's. The final element to underpin these arrangements is the approval of the Constitution.

3. Alternative options considered

- 3.1 The Council could decide to not to continue with the proposals and to keep the current 'hybrid' arrangements in place.

4. Background and key issues

- 4.1 At the AGM in May 2024 the Council agreed to setup a Governance Design Group (GDG) to design a revised Leader and Cabinet governance system, along with updating the Council Constitution to reflect those arrangements. The GDG was appointed at the AGM in May 2024 and includes members from across the political groups of the Council.

This followed the report presented to Civic Affairs and Full Council in May 2024 with the Council agreeing to move forward with the redesign of its governance arrangements. That report can be found here - [Cambridge City Council Governance report.pdf](#)

- 4.2 The GDG has developed a constitution that reflect governance design principles created agreed, in December 2023:

- **Decision making is timely / prompt, focussed and efficient** – our processes, culture and behaviour focus time, effort and resource on the issues with the biggest impact (for the Council and/or for residents), and on statutory decision-making.
- **Decision making is accountable** and subject to appropriate, proportionate and effective scrutiny and challenge,
- **Our governance system and decision-making processes are transparent**, easy to understand and engage with (for councillors, officers and members of the public), evidence-based, lawful and democratic.
- Our decision making and governance systems and culture allows different points of view to be explored and considered and **encourages collaboration** and consensus.

4.3 The Association of Democratic Services Officers (ADSO) were commissioned to support the Council to develop an up-to-date Constitution and Leader and Cabinet decision-making arrangements in accordance with the relevant legislation, guidance and best practice. Officers have continued to work on suggestions from members to compile those requests, where possible, are included in the constitution to carry effect of the wishes of members that are Cambridge specific.

4.4 **Areas of update**

Some of the areas that have been updated in the Constitution include:

1. Opposition Chairs for Scrutiny Committees

- Agreement: The group agreed to include in the Constitution a principle that, in line with best practice, the Chairs of Overview and Scrutiny Committees will normally be appointed from outside the majority group. Flexibility will be retained for exceptional circumstances, and the Constitution reflects this.

2. Naming of Scrutiny Committees

- Agreement: The first committee will be named "Services, Communities and Climate" (dropping "City" from the title). The second will be "Performance, Assets

and Strategy," with the description to clarify that housing is a key part of its remit. Names can be reviewed and amended in future if needed.

3. Referral of Motions by the Mayor

- Agreement: The group agreed to retain the provision but to amend the wording so that the mayor should consult with political group leaders before exercising this power. Guidelines will be developed to ensure the provision is used to avoid unnecessary duplication, not to stifle debate.

4. Requirement for Motions to be Seconded

- Agreement: The group agreed that motions must be proposed and seconded before debate, preventing a member from making a speech without a seconder. Speech times are now 5 minutes for the proposer and 3 minutes for the seconder.

5. Substitutes on Committees

- Agreement: The Constitution will be amended so that each group can have up to two substitutes per committee, aligning written rules with current practice.

6. Cabinet Assistants (Executive Assistants)

- Agreement: The Constitution will allow the Leader to appoint Cabinet Assistants, with a cap of 40% of the number of Cabinet members. The role will be defined to ensure no decision-making powers, no external representation beyond other councillors, and exclusion from Overview and Scrutiny Committees. The title "Cabinet Assistant" will be used to avoid confusion with officer roles.

7. Debate Rules and Amendments

- Agreement: The current practice of debating main motions and amendments concurrently will be maintained, and the Constitution will be clarified to reflect this.

For the budget, the more orthodox approach of debating amendments and main motion separately will continue.

8. Non-Key Decisions and Forward Plan

- Agreement: Non-key decisions should ordinarily be included in the forward plan for transparency, with flexibility for urgent cases. This will be codified in the Constitution.

There are some areas that will need some further thought whilst the constitution was reviewed on an on-going basis including:

9. Annual General Meeting (AGM) Format

- Discussion: Two options were proposed for the AGM:
 - Option 1: Hold the civic (mayor-making) and political business on separate days.
 - Option 2: Civic event at 4:00pm, followed by a tea, then Council business at 6:00pm.
- Agreement: Members to consult their groups and return with a preferred option. No constitutional change required; arrangements can be set by convention.

10. Council Meeting Duration and Breaks

- Discussion: Whether the 3-hour time limit should include or exclude breaks.
- Outcome: There was no consensus and this can be reviewed at a later date. Concerns were raised about potentially reducing time for substantive business if breaks are included.

Housing

The GDG considered the merits of creating a sub-committee or panel of the Executive to enhance the role of the Housing service and use the expertise and experience of the Tenant and Leaseholder representatives that currently sit on the Housing Scrutiny Committee. This body would ensure that council tenants continue to have a strong voice decisions that affect them.

The power to establish this type of body rests with the Leader and the Executive. Terms of reference for this body are being drafted and will be circulated to members of the GDG. The make-up of this group will be formally agreed at the AGM in May 2025.

Financial Contract and Procurement Rules

Both finance and procurement officers are to review the contract and procurement rules in the next Municipal Year. The new Procurement Act provides an opportune time to review the rules in the Constitution.

Officer/Member relations

Officers will be working on an updated Officer/Member relations code that will set out and update the code that is part of the current constitution. This will take into account the principles of the LGA model Code of Conduct, along with setting out ways of working as the proposed new governance arrangements are embedded in the organisation.

Community Engagement

Officers are working on proposals for ways of engaging with communities following the recommendations proposed by New Local in 2024. These will bring greater benefits to the relationship between the Council, Members and the communities they serve. These will be presented to Councillors at the start of the new Municipal Year.

4.5 Training

This was included in the previous report but for reference this outlines the importance of training which is crucial for the successful implementation of the proposed Leader Cabinet model and the application of the Constitution. To ensure a smooth transition and effective operation of the new governance structure pending approval in April, a multi-faceted training program has been created:

All-Member Training

- Foundational understanding of the Leader Cabinet model
- Reinforcement of the role and importance of robust scrutiny

Specialised Overview and Scrutiny (O&S) Training

- Action learning set approach for initial meetings
- Real-time feedback opportunities for committee members
- Guidance on optimal utilisation of scrutiny officer expertise
- Adaptive strategies based on ongoing discussions

Leadership Development

- Tailored coaching for O&S Chairs to support their enhanced roles
- Dedicated Cabinet training to foster effective collaboration and decision-making
- Training for Chairs of regulatory committees and the understanding of carrying out regulatory functions

This comprehensive training approach underscores our commitment to equipping all members and officers with the necessary skills and knowledge. It will be instrumental in ensuring the success of the new political governance structure, pending approval in March.

Officers from across the Council will also receive training to align with some of the member training and the expectations on officers within the proposed new system.

5. Corporate plan

- 5.1 The proposals relate to all parts of the Corporate Plan. Changes to the governance arrangement will have an impact on the way decisions that flow from the Corporate Plan are taken.

[Corporate plan 2022-27: our priorities for Cambridge - Cambridge City Council](#)

6. Consultation, engagement and communication

- 6.1 At the Annual Council meeting in May 2024 the Council agreed to setup a cross party Governance Design Group to review proposals for a revised Leader and Cabinet Model of governance and updated Constitution to reflect those proposals.

Members of the GDG have taken responsibility to feedback the views of their group and these views have been considered by the GDG. In addition these take on board the last GDG meeting, looking at the feedback from members of the Committee and GDG members.

7. Anticipated outcomes, benefits or impact

- 7.1 Approving the Constitution will ensure would complement and enhance changes that have been introduced to the City Council's officer structure, ways of working and plans for future transformation. Operating these proposals is more appropriate to the nature, scale and pace of decision-making required in a fast-growing, diverse and ambitious city like Cambridge. Such arrangements are best suited to delivering timely, transparent and accountable decision-making to support efficient and effective services and projects that deliver the Council's vision and statutory duties. We believe the outcomes, benefits and impact of this change, could result in:

- Streamlined decision-making processes, with clear lines of accountability.
- Increased transparency and clarity, particularly for officers and our communities
- Scrutiny that can focus on the depth of the most important and relevant reports and decisions

- Collective and rounded decision-making by the Cabinet, no longer leaving complex decisions to be taken by single Executive Councillors
- A more accessible constitution, reducing from its current 400 pages (roughly) to closer to 250
- Allowing for better comparisons and learning from other councils using similar models

8. Implications

8.1 Relevant risks

Whilst it is acknowledged that there are risks associated with moving to this model, it is important to note these are outweighed by the benefits available in making this change. Not only this, but many of these risks can be adequately planned against reducing the potential impacts should they become issues.

Local Government Reform:

The English Devolution White Paper gives the Council an opportunity to show that it recognises the importance of transforming and being on the front foot when working with neighbouring authorities. A successor unitary authority will in all likelihood adopt Leader/Cabinet governance, mitigating against a potentially more severe risk later down the line.

Growing into the new system would make for a smoother transition to a new, unitary authority and put Cambridge members on the front foot in helping to design and run the governance of a new unitary council on whatever footprint may emerge.

This is an area that gets to the heart of the Council's own transformation journey. modernising the way the Council is run and being more open and transparent for the communities it serves.

Political Risks:

- In situations of no overall political control, there can be difficulties in achieving consensus, particularly on major decisions like budget setting.
- Despite the number of accountable decision-makers remaining the same as it currently stands, non-executive members may perceive their role in decision making to be diminished. This could result in misuse of assurance mechanisms such as call-in.
- The model may lead to a perceived lack of opportunity for non-cabinet members to fully represent their constituents' views and influence strategy and policy decisions. This has been accounted for in the Community Call to Action mechanism (Section 5.20) available, as well as opportunities to speak at Cabinet meetings.
- This model requires a robust approach to Overview and Scrutiny to maintain effective accountability.

Financial Implications

- 8.2 Full Council agreed the previous proposals for the new governance arrangements. As previously stated members of the GDG recognised the importance of the Scrutiny functions and welcomed the proposal to recruit an Overview and Scrutiny Officer, to help members shape the Scrutiny function at the Council. Working closely with Scrutiny, Cabinet Members and Senior Leadership.

This additional resource will have a financial implication of circa £55k per annum, however having this resource in place will better support this model. There is potential for more efficient decision-making leading to cost savings over time.

Legal Implications

- 8.3 There is a legal duty for the Council to have in place and publish a Constitution which complies with the Local Government Act 2000, regulations made under it and Secretary of State Directions.

Equalities and socio-economic Implications

- 8.4 An Equalities Impact Assessment has been carried out and a summary can found attached to the report. [Cambridge City Council Equality Impact Assessment guidance notes 230818.docx \(sharepoint.com\)](#)

Net Zero Carbon, Climate Change and Environmental implications

- 8.5 There are none.

Procurement Implications

- 8.6 There are none.

Community Safety Implications

- 8.7 There are none.

9. Background documents

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 9.1 Centre for Governance and Scrutiny (CfGS) report 2022
Civic Affairs Report May 2023

10. Appendices

- 10.1 Appendix A – Draft Cambridge City Council Constitution
Appendix B – Equalities Impact Assessment
Appendix C – Feedback from Civic Affairs and GDG

To inspect the background papers or if you have a query on the report please contact Tom Lewis, Head of Legal Practice and Monitoring Officer, email:

tom.lewis@3csharedservices.org or Dan Kalley, Democratic Services Manager, email:

dan.kalley@cambridge.gov.uk