

TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

19 May 2015

Report of the Director of Central Services

Part 1- Public

Matters For Decision

1 CHANGES TO CONSTITUTION

Members are asked to agree changes to the Constitution to set out the responsibilities of the new Cabinet Members, together with consequent changes to the terms of reference for Advisory Boards.

1.1 Cabinet Member portfolios

1.1.1 At Item 9 of the agenda, the Council will be asked to note the Leader's appointments to the Cabinet and the portfolios they will hold.

1.1.2 It is proposed by the Leader to appoint Cabinet Members with responsibility for the following portfolios –

Cabinet Member for Finance, Innovation & Property

Cabinet Member for Housing and Environment Services

Cabinet Member for Planning and Transportation

Cabinet Member for Community Services

Cabinet Member for Community Safety

Cabinet Member for Economic Regeneration*

*to be held by the Leader

1.1.3 As a consequence of the above appointments, it will be necessary to make changes to the existing Cabinet Member portfolios set out in Part 3 of the Constitution. Specifically, it is proposed to –

(1) Merge the existing portfolios held by the Cabinet Member for Environmental Services and the Cabinet Member for Housing so as to create the new portfolio for the Cabinet Member for Housing and Environment Services; and

(2) Merge the existing portfolios held by the Cabinet Member for Leisure, Youth and Arts and the Cabinet Member for Communities and Health so as to create the new portfolio for the Cabinet Member for Community Services.

1.1.4 The other portfolios will remain unchanged.

1.1.5 The full responsibilities of the proposed new portfolios are attached as **Annex 1**. These have also been updated to remove reference to any obsolete policies.

1.1.6 It will also be necessary to make a minor amendment to the Executive Procedure Rules in Part 4 of the Constitution, to address an anomaly that arises from the Leader holding a Cabinet Portfolio. Currently the rules require that all Cabinet member decisions are counter-signed by the Leader and Chief Executive. It would clearly be inappropriate for the Leader to be required to counter-sign his own decisions, so it is proposed to amend this requirement so that decisions of the Leader need only be counter-signed by the Chief Executive.

1.2 Advisory Boards

1.2.1 It is proposed by the Leader to establish 5 Advisory Boards to support the new Cabinet Portfolios, as follows

Communities Advisory Board

Economic Regeneration Advisory Board

Planning and Transportation Advisory Board

Housing and Environment Services Advisory Board

Finance, Innovation and Property Advisory Board.

1.2.2 It will also therefore be necessary to amend the terms of reference of the existing Advisory Boards as set out in the Constitution. Specifically, it is proposed to

(a) Merge the existing terms of reference for the Leisure and Arts Advisory Board, Communities and Health Advisory Board and Community Safety Advisory Board so as to create terms of reference for the Communities Advisory Board.

(b) Merge the existing terms of reference for the Strategic Housing Advisory Board and Local Environmental Management Advisory Board so as to create terms of reference for the Housing and Environment Services Advisory Board.

1.2.3 The other terms of reference will remain unchanged.

1.2.4 The full terms of reference for each Advisory Board are attached as **Annex 2**.

1.3 Legal Implications

1.3.1 None.

1.4 Financial and Value for Money Considerations

1.4.1 None.

1.5 Risk Assessment

1.5.1 No risk issues have been identified.

1.6 Equality Impact Assessment

1.6.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.7 Recommendations

1.7.1 Council is invited to authorise the Monitoring Officer to make the appropriate consequential changes to the Council's Constitution to give effect to

- (a) The proposed portfolios for the Cabinet Members (as set out at **Annex 1**); and
- (b) The proposed terms of reference for Advisory Boards (as set out at **Annex 2**).
- (c) Proposed changes to the Executive procedure rule set out at paragraph 1.1.6 above.

Background papers:

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Nil

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