

APPENDIX 3 – SUBMISSIONS TO THE CONSTITUTION REVIEW WORKING GROUP

SUBMISSION FROM CLLR TAYLOR -

PAGE	ITEM WHAT IT SAYS	Officer Comment	Working Group Recommendation
6 Para 1.2	<p>"1.2 The Council has 65 Councilors and covers an area of 3,745 square kilometres stretching from Alston to Walney Island, with a wide range of very diverse and different communities. Based on geography it is the third largest unitary council in the country. It is home to a number of major towns including Windermere, Ulverston, Penrith, Kendal, Barrow-in-Furness, Kirkby Stephen and Kirkby Lonsdale."</p> <p>CHANGE NEEDED INCLUDE DALTON - IT IS THE DISTRICT'S 5TH MAJOR TOWN</p>	This is referred to at para 3.1 above and is a matter for the Working Group to determine.	Agreed to recommend only the 3 main towns are referred to & listed in alphabetical order.
6 Para 1.3	<p>1.3 There are 114,000 jobs at workplaces in Westmorland and Furness. The public administration, education and health sector accounts for the greatest proportion (24%), followed by</p>	This is a matter for the Working Group to determine.	Agreed to recommend that the wording is as currently printed.

	<p>wholesale and retail (18%), manufacturing (15%) and accommodation & food services (14%). It is also home to Barrow Shipyard a major employer in the Barrow-in-Furness area.</p> <p>ADD IN IMPORTANCE OF GVA USING THESE WORDS</p>		
6 Para 1.4	<p>1.4 Westmorland and Furness has national transport routes within its boundaries with the M6 and West Coast Main Line running north south and the A66 and A590 running east to west.</p> <p>NEED TO MENTION WEST COAST MAIN LINE FURNESS LINE, PORT OF BARROW, WALNEY AIRPORT</p>	This is a matter for the Working Group to determine.	Agreed to recommend that the wording is as currently printed.
10 Para 4.6	<p>4.6 The Council has adopted an executive form of governance. This means that the Council appoints a Leader of the Council. The Leader then appoints a minimum of 2 and no more than 9 other Councillors</p>	This is a matter for the Working Group to determine.	Agreed to recommend this amendment is inserted.

	<p>who, together with the Leader, form the Cabinet and are responsible for certain decisions such as policy matters (including recommending the Budget and Policy Framework to Council), housing, education, ADD IN HIGHWAYS AND TRANSPORT social care, land and property and economic regeneration.</p>		
<p>12 Para 8.1</p>	<p>8 LOCALITY BOARDS</p> <p>8.1 In addition, the Council has the following arrangements which will enable it to work closely with Members of the Public and other partnership bodies. In order to give members of the public, service users and residents a greater say in Council affairs, three Locality Boards have been created. These cover:</p> <ul style="list-style-type: none"> • Eden • South Lakeland • Furness <p>8.2 The three Locality Boards are based on the geographical boundaries of the</p>	<p>The relevant wards have been listed in the Terms of Reference for Locality Boards in the Constitution. Both High Furness and Low Furness Wards are in the South Lakeland Locality Board</p>	<p>Agreed to recommend that the position as explained is noted.</p>

	<p>former District Councils and comprise the Councillors who have been elected in each particular area, as detailed on the Council's website. Meetings are normally held in public and the Locality Boards have some decision making powers and the ability to influence and engage with matters which affect their locality</p> <p>NEED TO CLARIFY THE HIGHLIGHTED BITS AS IN 8.2 IS IT FURNESS OR BARROW BOROUGH?</p>		
36 37	<p>IN BLACK HIGHLIGHT A CONCERN, RED possible changes</p> <p>Highways and Transport Strategic Board</p> <p>9.5 The Council has established a Highways and Transport Strategic Board as a Committee of the Cabinet, formed as follows:</p> <p>Composition</p> <p>9.5.1 The Highways and Transport Strategic Board is a Committee of Cabinet and shall be comprised of such of</p>	<p>As this is a committee of Cabinet unfortunately only Cabinet members may have voting rights legally.</p>	<p>Agreed to recommend that the position as explained is noted.</p>

	<p>the Cabinet Members as the Leader or Cabinet shall determine.</p> <p>9.5.2 The Chair and Vice Chair of each Locality Board shall have the right to attend and speak at meetings. They will not have voting rights.</p> <p>THEY SHOULD HAVE VOTING RIGHTS IN INTERESTS OF LOCAL DEMOCRACY</p> <p>9.5.3 The Committee will meet at such times as shall be agreed by its members. 9.5.4 The Committee shall not be quorate unless three voting members are present.</p> <p>9.5.5 One of the relevant Cabinet Members shall act as its Chair.</p> <p>9.5.6 There shall be a right on the part of any member of the Committee to require the reference of any matter to the full Cabinet for determination.</p> <p>9.5.7 Any local member for each Ward directly affected by a matter to be considered by the Committee shall</p>	<p>This is intended to prevent decisions which have been legally made by the Board being challenged after the event by a member indicating that unfortunately they had not received the necessary notification. Every effort will be made to prevent this, as the procedures are designed to be inclusive, however it is recommended that this clause is retained in the circumstances</p>	<p>Agreed to recommend that the wording is as currently printed, for the reasons explained in the Officer comments section.</p>
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	<p>receive notification of that matter to enable her/him to make representations known to the Committee in writing or in person (Any failure to receive notification will not invalidate a decision).</p> <p>SHOULD DELETE BIT IN BRACKETS TO PUT ONUS ON COUNCIL TO NOTIFY LOCAL MEMBER</p> <p>Terms of Reference 9.5.8 The Highways and Transport Strategic Board is a Committee of Cabinet and shall be responsible for the exercise of the following executive functions of Cabinet (unless or until the Leader or Cabinet shall determine otherwise):</p> <p>(a) To agree and keep under review the implementation of the rolling 3 year strategic programme for highways and transport (revenue and capital) and the one year delivery plan.</p> <p>(b) To recommend to Council any</p>	<p>As this is a an executive function the decision must remain with Cabinet Members but every effort has been made</p>	<p>Agreed to recommend that the wording is as currently printed, for the reasons explained in the Officer comments section.</p>
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	<p>Highways or Transport Strategies and Policies within policy framework for example the Local Transport Plan.</p> <p>c) To agree strategies and policies relating to Highways and Transport that are not in the Policy Framework.</p> <p>(d) To agree responses to highways and transport consultation papers when referred by the Director or not reserved by Cabinet.</p> <p>(e) To authorise the entering of agreements with public transport operators to provide financial support for services which are not available commercially.</p> <p>(f) To consider and determine traffic management matters, other than those matters that are the responsibility of the Locality Boards under the agreed Locality Scheme Budget, and those matters</p>	<p>to adopt an inclusive process involving local members as far as practicable.</p>	
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	<p>that require urgent determination or are of a temporary nature. The relevant local Member shall be notified of the matter.</p> <p>(g) To consider information and updates provided by the Director on highways asset management strategy and delivery plan for promoting best practice and the implementation of asset management principles for all highway maintenance activities.</p> <p>THE ABOVE TWO HIGHLIGHTED ITEMS NEED TO BE ANSWERABLE TO LOCAL MEMBERS OTHERWISE RISK OF PERPETUATING WHAT HAPPENS NOW</p> <p>(h) To receive and consider referrals from Locality Boards on Highways and Transport matters.</p>		
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	SUBMISSION FROM	COUNCILLOR DEW	
PAGE	ITEM WHAT IT SAYS	Officer Comment	Working Group Recommendation
	It would be helpful to have a more complete index/contents section with page numbers	An enhanced contents section & consecutive numbering will be inserted prior to 1 April	Agreed to recommend that the position as explained in the Officer comment section is noted
6.3 page 59	'Either the chair or vice-chair for each committee shall be a member of a minority political group'. Given that the chair determines the agenda and controls the meeting it should be the chair who is from a minority group	This has been considered in the main report & recommendations made to the SA.	See earlier recommendations
14.9 page 89	Locality Boards - Is there any guidance or limit on co-opted members given that they could all come from one political party	The intention is for Locality Boards to have the opportunity to co-opt external individuals as & when necessary	Agreed to recommend that the position as explained is noted
11.1 page 138	Cabinet Reports. Can further consideration be given to the inclusion of cabinet minutes on the agenda. This provides an important opportunity to ask questions and make comments	This has been considered in the main report & recommendations made to the SA.	See earlier recommendations

19.1 page 149	Members Conduct. I think it's important to expect members to stand 'if they are able to do so' rather than if they simply prefer to do so which seems to be current practice.	This was discussed & debated by the WG at an earlier meeting & the current wording approved.	Agreed to recommend that the wording is as currently printed, for the reasons explained in the Officer comments section.
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