

## County Council Constitution

Amendment proposed by Councillor Chris Boden

We are opposed to the merger of the Adults and Health committees, as this will inevitably lead to poorer outcomes for our residents.

The proposal to merge the existing Health Committee into the Adults Committee has unintended consequences which need to be reconsidered.

The relative size of the Adults and Health budgets, in addition to the reduction in meetings to quarterly, will unavoidably lead to a very substantial reduction in Committee time devoted to public health and to the Council's statutory function to review the effectiveness of the NHS in the County, together with a reduction in the Council's ability to review and respond in a timely manner to proposed changes to local Health Service provision.

At a time when we are still dealing with the Coronavirus pandemic, and at a time when the local NHS is only just beginning to plan how to deal with massive increases in waiting lists as a result of the pandemic, it is essential to maintain the current level of the Council's statutory oversight function over the NHS, the Council's current ability to comment effectively on proposed changes to local NHS provision and the Council's current commitment to as effective a Public Health service as possible.

This amendment seeks to retain the Council's commitment to its responsibilities to deliver an effective Public Health service across the County and seeks to retain our ability effectively to fulfil the Council's statutory responsibility to scrutinise the operation of the NHS in the County and to respond to any proposed changes in NHS services which would affect the County's residents.

Additions in bold and highlighted and deletions shown in strikethrough and highlighted (for ease of reference only the sections of the report where amendments are proposed have been included)

### 3. Changes to the Constitution

#### Part 2 – Articles

#### 3.1 Article 6 – Decision Review Process and Statutory Scrutiny Function

##### 6.01 Decision Review

- Change “seven” to **five six** and remove the committees listed in the second paragraph and replace with “Adults and Health; Children and

Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport.

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

#### 6.02 The Council’s Statutory Scrutiny Function

- Replace “Health Committee” with “Adults **Committee**” and “**Health** Committee” and replace “Economy and Environment Committee” with “Environment and Green Investment Committee”.

### 3.2 Article 7 – The Council Leader, Chairmen/women and Vice-Chairmen/women of Committees and Lead Members

#### 7.01 Council Leader

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

#### 7.03 Deputy Council Leader

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

#### 7.04 Chairmen/women and Vice-Chairmen/women of Committees

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.
- Replace “seven” with **five six** in Section (ii).

#### 7.05 Lead Members

- Replace Lead Members with Spokes, with the Chair and Vice-Chair of each Policy and Service Committee, and the Chair and Vice-Chair of Strategy and Resources Committee acting as the Spokes for their group.
- Replace separate briefings with one joint meeting for all Spokes.

### 3.3 Article 8 - Committees

#### 8.02 Policy and Service Committees

- Replace the policy and service committees listed with the following: Adults; **and** Health; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport.

#### 8.05 Other Committees

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

### 3.4 Article 9 – Advisory Process

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

### 3.5 Part 3A – Allocation of Responsibility for Functions – Full Council and Committees

#### 2. Council Functions

- Replace “seven” with ~~five~~ **six** in Section (f).
- Replace “General Purposes Committee” with “Strategy and Resources Committee” in Section (g).

### 3.6 Part 3B – Responsibility for Functions Committees of Council

#### 1. Strategy and Resources Committee

- Create a Strategy and Resources Committee which shall primarily include the delegations previously undertaken by the “General Purposes Committee” and the “Commercial and Investment Committee”.

#### ~~2. Adults and Health Committee~~

- ~~— Create an “Adults and Health Committee” which shall primarily include the delegations previously undertaken by the “Adults Committee” and the “Health Committee”.~~

#### 3. Children and Young People Committee

- Change “Ten” members to “Fifteen”.

#### 4. Communities, Social Mobility and Inclusion Committee

- Create a Communities, Social Mobility and Inclusion Committee which shall primarily include the delegations previously undertaken by the “Communities and Partnership Committee”.
- Remove the following wording from the new terms of reference “This will include one Member from each City/District area of the County, i.e. Cambridge City, East Cambridgeshire, Fenland, Huntingdonshire and South Cambridgeshire, to reflect the political control of the respective City/District Councils to undertake an enhanced role. These Members will be Area Community Champions. They will engage closely with their

communities and be an advocate for the activity in these communities and the work of this committee and its partners”.

## 5. Environment and Green Investment Committee

- Create an Environment and Green Investment Committee which shall primarily include the delegations previously undertaken by the “Environment and Sustainability Committee”.

## 6. Highways and Transport Committee

- Change “Ten” members to “Fifteen”.

## 7. Committees of Council

- Increase the membership of Constitution and Ethics Committee, Planning Committee and Staffing and Appeals Committee from eight to nine.

## Part 4 – Rules of Procedure

### 3.7 Council Procedure Rules

#### 1.3 Selection of Councillors on Committees and Outside Bodies

- Replace “General Purposes Committee” with “Strategy and Resources Committee” in (iv).
- Change “seven” to “~~five~~ six” in (v).

#### 2 Ordinary Meetings

- Replace “General Purposes Committee” with “Strategy and Resources Committee” in (iv).

### 3.8 Budget and Policy Framework Procedure Rules

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

### 3.9 Procedure for Taking Urgent Decisions

#### Option C – Decision by the Chief Executive

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

### 3.10 Financial and Contract Procedure Rules

- Replace “General Purposes Committee” with “Strategy and Resources

Committee”.


Due to the length of the Financial and Contract Rules, and the fact that the above is the only proposed change, they have not been included in Appendix A.

### 3.11 Decision Review Procedure Rules

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.
- Replace the policy and service committees listed in Section 2 with the following: Adults; and Health; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport.

## 4. Source Documents

### 4.1 [Current version of the Constitution](#)

	Cambridgeshire County Council	<b>The Constitution</b> Part 2 – Articles Article 6 – Decision Review Process and Statutory Scrutiny Function
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## ARTICLE 6 – THE DECISION REVIEW PROCESS AND STATUTORY SCRUTINY FUNCTION

### 6.01 Decision Review

The decision-making powers of each committee are specified in their terms of reference in Part 3B, Responsibility for Functions: Committees of Council.

In the case of decisions made by one of the ~~seven~~ **five** Policy and Service Committees (~~Adults; Children and Young People; Commercial and Investment; Communities and Partnership; Environment and Sustainability; Health; and Highways and Transport~~ **Adults; and Health; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport**) there is a process by which particularly controversial decisions may be reviewed by the ~~General Purposes Committee~~ **Strategy and Resources Committee** which shall be known as Decision Review.

The decision review procedure is set out in Part 4.7, Rules of Procedure: Decision Review Procedure Rules.

### 6.02 The Council's Statutory Scrutiny Function

There is a statutory requirement for Council to make arrangements for scrutiny of certain matters, as specified in the following legislation:

- Section 21 of the Local Government Act 2000 and Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012, and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (SI 2013/218).

These powers shall be exercised by the ~~Health Committee~~ **Adults and Health Committee**.

- The Flood and Water Management Act 2010.

These functions shall be exercised by the ~~Environment and Sustainability Committee~~ **Environment and Green Investment Committee**.



## **ARTICLE 7 – THE COUNCIL LEADER, CHAIRMEN/WOMEN AND VICE-CHAIRMEN/WOMEN OF COMMITTEES AND LEAD MEMBERS SPOKES**

### **7.01 Council Leader**

The Chairman/woman of the ~~General Purposes Committee~~ **Strategy and Resources Committee** shall be, ex-officio, Council Leader and shall hold office unless and until he/she ceases to be Chairman/woman of the ~~General Purposes Committee~~ **Strategy and Resources Committee**.

### **7.02 Role of the Council's Leader**

The role of the Council's Leader is to:

- Provide a focal point for political leadership and strategic direction for the Council
- Represent the interests of the Council in circumstances where that is necessary.

The duties and responsibilities are to:

- Ensure effective decision making, including working with all political groups to seek to achieve, where possible, cross party co-operation
- Be the key contact for outside organisations (including Central Government, Local Authority Associations and Council partners), and internally for the Council's Strategic Management Team (SMT) or Corporate Leadership Team (CLT)
- Be the representative voice of the Council, for example, in its dealings with Central Government, other Local Authorities and their Associations, and positively promote the Council within the media
- Promote the long-term financial, business and economic stability of the Council.

### 7.03 **Deputy Council Leader**

The Deputy Council Leader will assume the full powers of the Council Leader in any circumstances in which the Council Leader is unable to act. The Deputy Council Leader will also act as Council Leader if the Council Leader is unavailable. The Vice-Chairman/woman of ~~General Purposes Committee~~ **Strategy and Resources Committee** shall be, ex-officio, Deputy Council Leader and shall hold office unless and until he/she ceases to be Vice-Chairman/woman of the ~~General Purposes Committee~~ **Strategy and Resources Committee**.

### 7.04 **Chairmen/women and Vice-Chairmen/women of Committees**

The Council shall appoint at each Annual Meeting of the Council:

- (i) the Chairman/woman and Vice-Chairman/woman of the ~~General Purposes Committee~~ **Strategy and Resources Committee** which roles shall include the role of Council Leader and Deputy Council Leader of the Council respectively
- (ii) the Chairman/woman and Vice-Chairman/woman of each of the ~~seven~~ **five** ~~six~~ policy and service committees.
- (iii) the Chairman/woman of the Health and Wellbeing Board.
- (iv) the Chairman/woman and Vice-Chairman/woman of the Audit and Accounts, Pension Fund Committee and Planning Committee.

The Chairmen/women and Vice Chairmen/women shall remain in office until the start of the Annual Meeting following their appointment unless a resolution is proposed at full Council to remove him/her.

### 7.05 **Lead Members Spokes**

Each of the Council's political groups may designate one of their group members as a **Spokes** ~~lead member~~ for each policy and service committee.

The Chief Executive, Executive Directors, and Directors shall hold briefing meetings with **Spokes from the political groups for each** ~~their relevant~~ policy and service committee Chairman/woman and Vice-Chairman/woman to plan the agenda for future service committee meetings and consider any other issues the officer may think appropriate. **The Chair and Vice-Chair of each Policy and Service Committee will act as the Spokes for their group.** ~~They will hold one briefing meeting with all opposition lead members to brief them on the agenda for future service committee meetings and consider any other issues the officer may think appropriate.~~ All these meetings will be confidential subject to any relevant legal requirements to the contrary.



**Spokes Lead members** shall also be entitled to individual private and confidential briefings from Executive Directors, Directors, Service Directors, and ~~LGSS~~ Directors on any relevant policy matter within the remit of that Director. Information shall be provided at these briefings on a confidential basis in accordance with the Guidance on Confidentiality attached to the Members' Code of Conduct. Requests for such briefings must be reasonable in extent and number, as determined by the Chief Executive in consultation with the relevant Group Leader, in accordance with paragraph 7.9 of the Protocol on Member/Officer Relations in Part 5 of the Constitution, and will only be considered for items not covered by a briefing meeting.



## ARTICLE 8 – COMMITTEES

### 8.01 Introduction

The Council shall establish a number of committees in order to undertake its functions in a more efficient way. These are divided into four categories, Policy and Service Committees; Regulatory Committees; Joint Committees and Other Committees. In some cases the law requires the Council to establish a committee and stipulates the way it shall operate. However, in most cases Full Council may decide on the size, terms of reference and membership of its committees.

In the absence of the relevant committee chairman/woman, the vice-chairman/woman will take the chair.

All Councillors are encouraged to undertake regular training and for the regulatory and appeals committees there are specific training requirements.

Statutory scrutiny functions will be incorporated and carried out by the relevant Policy and Service Committee as set out in their respective terms of reference.

### 8.02 Policy and Service Committees

The Council shall establish the following policy and service committees:

- ~~Adults Committee~~
- ~~Children and Young People Committee~~
- ~~Commercial and Investment Committee~~
- ~~Communities and Partnership Committee~~
- ~~Environment and Sustainability Committee~~
- ~~Health Committee~~
- **Adults Committee**
- **and Health Committee**
- **Children and Young People Committee**
- **Communities, Social Mobility and Inclusion Committee**
- **Environment and Green Investment Committee**
- Highways and Transport Committee.

These are known as policy and service committees because their business concerns the Council's delivery of services to the people of Cambridgeshire.

The composition and function of each of these committees are set out in Part 3B – Responsibility for Functions: Committees of Council.

### 8.03 **Regulatory Committees**

The Council shall establish the following regulatory committees:

- Planning Committee

These committees regulate the conduct of the Council's business and make decisions in relation to regulatory matters.

The composition and function of each of these committees are set out in Part 3B – Responsibility for Functions: Committees of Council.

### 8.04 **Joint Committees**

In conjunction with other authorities, the Council shall establish and participate in the following joint committees:

- Area Joint Committees (where the Council sees fit)
- Cambridgeshire Police and Crime Panel
- Greater Cambridge Partnership Executive Board
- Greater Cambridge Partnership Joint Assembly
- ~~LGPS ACCESS Joint Committee~~
- ~~LGSS Joint Committee~~

The composition and function of each of these committees are set out in Part 3C – Responsibility for Functions: Joint Committees.

### 8.05 **Other Committees**

The Council shall establish the following other committees:

- ~~General Purposes Committee~~ **Strategy and Resources Committee**
- Audit and Accounts Committee
- Cambridgeshire Health and Wellbeing Board
  - Joint Cambridgeshire and Peterborough Health and Wellbeing Board Whole System Joint Sub-Committee
  - Cambridgeshire and Peterborough Health and Wellbeing Board Core Joint Sub-Committee
- Cambridgeshire Pension Fund Board
- Constitution and Ethics Committee
  - Hearings Sub-Committee
- Pension Fund Committee
  - Investment Sub-Committee
- Staffing and Appeals Committee
  - Service Appeals Sub-Committee.

The composition and function of each of these committees are set out in Part 3B  
– Responsibility for Functions: Committees of Council.



## **PART 3A – ALLOCATION OF RESPONSIBILITY FOR FUNCTIONS – FULL COUNCIL AND COMMITTEES**

### **1. Introduction**

This Part of the Constitution deals with the allocation of responsibility for undertaking the functions of the Council. Full Council is the primary decision-making body of the Council and as such is responsible for the exercise of all the functions that are the responsibility of the local authority.

However, in order to operate more effectively as an organisation, Full Council delegates many of its decision-making powers to committees, to officers, and to other local authorities.

### **2. Council Functions**

Only the Council will exercise the following functions:

- (a) Adopting and changing the Constitution
- (b) Approving or adopting the Policy Framework and the Budget
- (c) Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of a committee function which is covered by the Policy Framework or the Budget where the decision-making body is minded to make it in a manner which would be contrary to the Policy Framework or contrary to, or not wholly in accordance with, the Budget
- (d) Approving changes to any plan or strategy which form part of the Council's Policy Framework, unless:
  - i. that change is required by the Secretary of State or any Government Minister where the plan or strategy has been submitted to him for approval, or
  - ii. Full Council specifically delegated authority in relation to these functions when it approved or adopted the plan or strategy

- (e) Establishing or dissolving a Council committee or other body of the Council, or altering its composition and/or membership (including the position of Chairman/woman and Deputy Chairman/woman) at any time unless otherwise required by statute. The appointment of all committees and other bodies shall be reconsidered at its annual meeting and it shall not appoint any member of a body to hold office later than the next annual meeting of the Council.
- (f) Appointing the Chairman/woman and Vice-Chairman/woman of each of the ~~seven~~ **five six** policy and service committees, the Chairman/woman of the Health and Wellbeing Board and Chairman/woman and Vice-Chairman/woman of the Audit and Accounts Committee, Pension Fund Committee and Planning Committee.
- (g) Appointing the Chairman/woman and Vice-Chairman/woman of the ~~General Purposes~~ **Resources and Strategy** Committee, who will also fulfil the respective roles of Leader and Deputy Leader of the Council
- (h) Appointing representatives to outside bodies unless the appointment has been delegated by the Council
- (i) Making appointments to the Fire Authority
- (j) Approving the annual Senior Officer Pay Policy Statement
- (k) Adopting a Members' Allowances Scheme
- (l) Changing the name of the area
- (m) Conferring the title of Honorary Alderman/woman
- (n) Confirming the appointment of, and dismissing, the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer (Section 151 Officer)
- (o) Making any request to the Local Government Boundary Commission for England for single-member electoral areas
- (p) Passing any resolution to change the County's electoral scheme
- (q) Making an order to give effect to recommendations made in a community governance review
- (r) Making, amending, revoking, re-enacting or adopting Bylaws and promoting or opposing the making of local legislation or personal Bills
- (s) Delegating functions to other local authorities as described in Article 10 of this Constitution
- (t) Amending the Scheme of Delegation to Officers set out in Part 3D of this Constitution

(u) Approving the Council's Petitions Scheme set out in Part 4.1 of this Constitution

(v) All other matters which, by law, must be reserved to Council.

### **3. Delegation of Functions by Full Council**

The functions which Full Council delegates to committees, to officers, and to other local authorities are set out below:

Part 3B – Committees of Council

Part 3C – Joint Committees

Part 3D – Scheme of Delegation to Officers

Part 3E – Shareholder Rights in LGSS Law Ltd.



## 2. ADULTS AND HEALTH POLICY AND SERVICE COMMITTEE

### Membership

Fifteen members of the Council. The Chair and Vice-Chair of the Committee shall be appointed by Full Council.

The Chair of the Adults and Health Committee will be designated the Lead Councillor for Adult Services in accordance with the 'Best Practice Guidance on the Role of the Director of Adult Social Services' (Department of Health 2006).

~~Five non-voting co-opted District Councillors, one from each District Council in Cambridgeshire. District Councils shall be invited to nominate one member and one substitute. The usual rules for substitution as set out in the Council Procedure Rules shall apply.~~

### Summary of Functions

This committee has delegated authority to exercise the Council's functions relating to the delivery, by or on behalf of the County Council, of social care services to eligible adults within Cambridgeshire.

- Services for people with physical disability
- Services for people with learning disability
- Mental health services
- Preventative services
- Residential care
- Older People
- Carer support
- Safeguarding

~~The County Council's public health duty including~~

- ~~— health improvement~~
- ~~— individual and community wellbeing,~~
- ~~— reduction of health inequalities~~

- ~~• Review the strategies and policies proposed by other Committees to ensure that they support the improvement of health and a reduction in health inequalities.~~
- ~~• Responding as appropriate to central government consultation relating to policy or legislation falling within the remit of the Committee~~



- The review and scrutiny of any matter relating to the planning, provision and operation of the health services in Cambridgeshire
- To report to the Secretary of State for Health on any proposals for substantial change to any part of the NHS's services within Cambridgeshire.

Delegated Authority	Delegation/ Condition
Authority to take decisions relating to exercising management, oversight and the delivery of all the Council's relevant adult social care services (i.e. social care services for people aged 18 or over with eligible social care needs and their carers), except for those decisions which are reserved to Full Council	
Authority to undertake the Council's functions for promoting choice and independence in the provision of all adult social care	
Authority to approve all strategies associated with the committee portfolio area which are not reserved for Full Council	
Authority to respond, as appropriate, on behalf of the Council to Government consultation in respect of policy and/or legislation affecting adult social care.	
<del>Authority to take decisions relating to exercising management, oversight and the delivery of all the Council's public health services for the population.</del>	
<del>Authority to exercise the powers conferred by Section 21 of the Local Government Act 2000 and Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012, and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (SI 2013/218) to review and scrutinise any matter relating to the planning provision and operation of the health service in its area.</del>	
<del>Authority to exercise the power under Section 23 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 to report on a proposal for a substantial health service development or variation to the Secretary of State for Health</del>	
<del>Authority to delegate its functions under Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012 to a joint overview and scrutiny committee when this is required by the Direction issued by the Secretary of State for Health in July 2003 or is conducive to the efficient scrutiny of proposals affecting more than one Social Services local authority area.</del>	
<del>Authority to appoint members to a joint overview and scrutiny committee established under the paragraph above. In this case the political balance requirements will apply to such appointments.</del>	

Delegated Authority	Delegation/ Condition
<p>Authority to assist the Director of Public Health in the exercise of the Public Health statutory duties set out in</p> <ul style="list-style-type: none"> <li>• the Health and Social Care Act 2012</li> <li>• the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012</li> <li>• NHS Act 2006</li> <li>• Criminal Justice Act 2003</li> <li>• Licensing Act 2003</li> <li>• Water Industry Act 1991</li> <li>• Water Industry Act 1988</li> <li>• Mental Health Act 1983</li> <li>• Mental Capacity Act 2005</li> </ul>	
<p>Authority to oversee and undertake the Council's functions relating to the public health duty of the Council including health improvement, individual and community wellbeing, and the reduction of health inequalities</p>	
<p>Authority for approving all strategies associated with the committee portfolio area not reserved for approval by Full Council</p>	
<p>Authority to nominate representatives to Outside Bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association</p>	
<p>Authority to respond, as appropriate, on behalf of the Council to Government consultation in respect of policy and/or legislation affecting any of the responsibilities falling with the remit of the Adults and Health Committee</p>	
<p>Authority to review and advise on any strategies and policies proposed by the Council's Committees to ensure that they will support and contribute to the delivery of improvement in health individual and community wellbeing and a reduction in health inequalities.</p>	
<p><b>Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.</b></p>	



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~~The Chair of the Adults and Health Committee will be designated the Lead Councillor for Adult Services in accordance with the 'Best Practice Guidance on the Role of the Director of Adult Social Services' (Department of Health 2006).~~

Five non-voting co-opted District Councillors, one from each District Council in Cambridgeshire. District Councils shall be invited to nominate one member and one substitute. The usual rules for substitution as set out in the Council Procedure Rules shall apply.

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- ~~• Mental health services~~
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- ~~• Residential care~~
- ~~• Older People~~
- ~~• Carer support~~
- ~~• Safeguarding~~

The County Council's public health duty including

- health improvement
- individual and community wellbeing,
- reduction of health inequalities
- Review the strategies and policies proposed by other Committees to ensure that they support the improvement of health and a reduction in health inequalities.
- Responding as appropriate to central government consultation relating to policy or legislation falling within the remit of the Committee

- The review and scrutiny of any matter relating to the planning, provision and operation of the health services in Cambridgeshire
- To report to the Secretary of State for Health on any proposals for substantial change to any part of the NHS's services within Cambridgeshire.

Delegated Authority	Delegation/ Condition
<del>Authority to take decisions relating to exercising management, oversight and the delivery of all the Council's relevant adult social care services (i.e. social care services for people aged 18 or over with eligible social care needs and their carers), except for those decisions which are reserved to Full Council</del>	
<del>Authority to undertake the Council's functions for promoting choice and independence in the provision of all adult social care</del>	
<del>Authority to approve all strategies associated with the committee portfolio area which are not reserved for Full Council</del>	
<del>Authority to respond, as appropriate, on behalf of the Council to Government consultation in respect of policy and/or legislation affecting adult social care.</del>	
Authority to take decisions relating to exercising management, oversight and the delivery of all the Council's public health services for the population.	
Authority to exercise the powers conferred by Section 21 of the Local Government Act 2000 and Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012, and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (SI 2013/218) to review and scrutinise any matter relating to the planning provision and operation of the health service in its area.	
Authority to exercise the power under Section 23 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 to report on a proposal for a substantial health service development or variation to the Secretary of State for Health	
Authority to delegate its functions under Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012 to a joint overview and scrutiny committee when this is required by the Direction issued by the Secretary of State for Health in July 2003 or is conducive to the efficient scrutiny of proposals affecting more than one Social Services local authority area.	
Authority to appoint members to a joint overview and scrutiny committee established under the paragraph above. In this case the political balance requirements will apply to such appointments.	

<b>Delegated Authority</b>	<b>Delegation/ Condition</b>
<p>Authority to assist the Director of Public Health in the exercise of the Public Health statutory duties set out in</p> <ul style="list-style-type: none"> <li>• the Health and Social Care Act 2012</li> <li>• the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012</li> <li>• NHS Act 2006</li> <li>• Criminal Justice Act 2003</li> <li>• Licensing Act 2003</li> <li>• Water Industry Act 1991</li> <li>• Water Industry Act 1988</li> <li>• Mental Health Act 1983</li> <li>• Mental Capacity Act 2005</li> </ul>	
<p>Authority to oversee and undertake the Council's functions relating to the public health duty of the Council including health improvement, individual and community wellbeing, and the reduction of health inequalities</p>	
<p>Authority for approving all strategies associated with the committee portfolio area not reserved for approval by Full Council</p>	
<p>Authority to nominate representatives to Outside Bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association</p>	
<p>Authority to respond, as appropriate, on behalf of the Council to Government consultation in respect of policy and/or legislation affecting any of the responsibilities falling with the remit of the Adults and Health Committee</p>	
<p>Authority to review and advise on any strategies and policies proposed by the Council's Committees to ensure that they will support and contribute to the delivery of improvement in health individual and community wellbeing and a reduction in health inequalities.</p>	



## **COUNCIL PROCEDURE RULES**

These rules are designed to ensure meetings of the Full Council run smoothly and are conducted properly.

### **1. ANNUAL MEETING OF THE COUNCIL**

#### **1.1 Timing**

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors.

In any other year, the annual meeting will take place in May.

#### **1.2 Business**

The annual meeting will carry out the tasks listed below.

- (i) Elect a person to preside if the Chairman/woman of Council is not present.
- (ii) Elect the Chairman/woman of Council.
- (iii) Elect the Vice-Chairman/woman of Council.
- (iv) Approve the minutes of the last meeting.
- (v) Receive any announcements from the Chairman/woman and/or Head of Paid Service.
- (vi) Agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution).
- (vii) Approve a programme of ordinary meetings of the Council for the year.
- (viii) Consider any business set out in the notice convening the meeting.

In addition, the annual meeting in a year where there is an ordinary election of Councillors will receive the report of the County Returning Officer for information, and will receive the Council's Constitution for endorsement.

### 1.3 **Selection of Councillors on Committees and Outside Bodies**

At the annual meeting, the Council will:

- (i) Decide which committees and sub-committees to establish for the municipal year.
- (ii) Decide the size and terms of reference for those committees and sub-committees.
- (iii) Decide the allocation of seats and substitutes to political groups in accordance with the political balance rules.
- (iv) Appoint the ~~Chairman/woman~~ and Vice-Chairman/woman of the **Strategy and Resources** ~~General Purposes~~ Committee who will also fulfil the role of Leader and Deputy Leader of the Council respectively.
- (v) Appoint the ~~Chairman/woman~~ and Vice-Chairman/woman of each of the ~~seven~~ **five six** policy and service committees.
- (vi) Appoint the ~~Chairman/woman~~ of the Cambridgeshire Health and Wellbeing Board.
- (vii) Appoint the ~~Chairman/woman~~ and Vice-Chairman/woman of the Audit and Accounts Committee, Pension Fund Committee and Planning Committee.
- (viii) Appoint to outside bodies except where appointment to those bodies has been delegated by the Council.

## 2. **ORDINARY MEETINGS**

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (i) Elect a person to preside if the ~~Chairman/woman~~ and Vice-Chairman/woman are not present.
- (ii) Approve the minutes of the last meeting.
- (iii) Receive any announcements from the ~~Chairman/woman~~, Leader, Committee Chairmen/women or the Chief Executive.

- (iv) Subject to the consent of the person presiding at the meeting:
  - (a) receive questions from, and provide answers to, the public; and
  - (b) receive petitions in accordance with the Council's petitions scheme.
- (v) Deal with any business from the last Council meeting.
- (vi) Consider recommendations from the Council committees on matters requiring a Council decision.
- (vii) Receive reports about and receive questions and answers on the business of joint arrangements and external organisations.
- (viii) Consider motions.
- (ix) Consider any other business specified in the summons to the meeting, including consideration of proposals from the **Strategy and Resources** ~~General Purposes~~ Committee in relation to the Council's budget and policy for debate.
- (x) Put questions to the Council's representatives on the Fire Authority and the Combined Authority Board and Overview and Scrutiny Committee.

The rest of the Council Procedure Rules remain unchanged.





## DECISION REVIEW PROCEDURE RULES

### 1. Overview

As set out in Part 3B – Responsibility for Functions, Committees of Council, **Strategy and Resources** ~~General Purposes~~ Committee, nine members of **Strategy and Resources** ~~General Purposes~~ Committee may initiate a review of a decision taken by a Policy and Service Committee by submitting a request for review to the Monitoring Officer or Chief Executive before the expiry of three full working days from the date on which the decision notice was published.

Due to the costs and delay caused by review, it is intended that it should only be used in exceptional circumstances as a last resort.

Where the review process is initiated the implementation of the decision subject to the review shall be suspended until the process is complete or the review withdrawn.

### 2. Decisions which may be subject to review

As provided in Article 6 and subject to the exceptions set out below, the Decision Review procedure shall apply to any decisions made by Policy and Service Committees (~~Adults, Children and Young People, Commercial and Investment, Communities and Partnership, Environment and Sustainability, Health and Highways and Transport~~ **Adults; and Health; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport**).

The **Strategy and Resources** ~~General Purposes~~ Committee may not review its own decisions.

### 3. Decisions which may not be reviewed

The following categories of decision are exempt from the decision review process:

- i) A decision in respect of which no decision review request was received within the requisite timescales prescribed in these Rules and has therefore come into effect.
- ii) A decision which satisfies the criteria for urgent decisions as set out in the Council's Rules of Procedure.
- iii) A decision by Full Council or subject to Full Council approval.
- iv) A decision by **Strategy and Resources General Purposes Committee**.
- v) Decisions made by regulatory committees and/or decisions of a quasi-judicial or regulatory nature.
- vi) A decision which has been rescinded by the relevant committee or decision maker prior to the determination of any request for a decision review in accordance with Rule 4.2.
- vii) A decision which has been made in accordance with Rule 17 of the Committee and Sub-Committee Procedure Rules, Previous Decisions and Motions.

#### 4. **Decision Review Process**

##### 4.1 **Publication of Decision Statement**

Where a decision has been made by a Policy and Service Committee, the decision shall be published in the form of a decision statement, within two working days of the decision being made, on the Council's public website. The decision statement shall also be sent to members of the relevant committee within the same timescale.

The decision statement will bear the date on which it is published and will specify that the decision will be effective on the expiry of three full working days after the publication of the decision statement and may then be implemented, unless the subject of a decision review request under this provision within that three full working day period. The deadline for a decision review request shall be specified in the decision statement.

##### 4.2 **Review by Strategy and Resources General Purposes Committee**

Where at least nine *full* members of the **Strategy and Resources General Purposes Committee** wish to initiate a review of a decision which falls within the remit of the procedure, they may do so by submitting a written request for review to the Monitoring Officer or Chief Executive.

Such a request must be received by the Monitoring Officer or Chief Executive before the end of three full working days from the date on which the decision notice was published.

Where this criterion is met, the matter shall be referred to the **Strategy and Resources General Purposes** Committee for consideration as to whether the review request should be dismissed or upheld.

If the request is dismissed, those members requesting the review will be notified and the original decision shall take effect by 9.30am the next working day following the day of the **Strategy and Resources General Purposes** Committee meeting which reviewed the request.

If the review is upheld the matter shall be referred back to the relevant committee with a recommendation from the **Strategy and Resources General Purposes** Committee. The relevant committee shall reconsider the matter, taking into account any concerns and recommendations of the **Strategy and Resources General Purposes** Committee, and decide whether to amend the decision or not before reaching a final decision. The decision of the relevant committee will take effect at 9.30am on the fourth full working day from the date on which the decision notice was published.

A decision may be subject of a decision review by the **Strategy and Resources General Purposes** Committee once only. Once the review has been considered by the **Strategy and Resources General Purposes** Committee, the decision may not be subject of a further decision review by that Committee.

## 5. **The Decision Review Procedure Timescales**

Where a valid review request is received, the Monitoring Officer shall convene a meeting of the **Strategy and Resources General Purposes** Committee as appropriate, to take place within 10 working days or as soon as is practically possible thereafter.

In setting the date of the review hearing, all reasonable efforts will be made to enable attendance by Members, relevant Officers and other witnesses. Councillors who have requested the review shall have the right to address the Committee when it deals with the issue subject to the usual limits on speeches.