

COUNCIL MEETING, 24 NOVEMBER 2022

REPORT OF THE  
Chief Executive  
PART I

## CONSTITUTIONAL MATTERS

### 1. RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

- 1.1. On 8 November 2022, the Employment in Hampshire County Council Committee (EHCC Committee) approved a report from the Chief Executive regarding an Organisational Restructure. The new Organisational Structure will come into effect on 1 January 2023. Separately from approval of the new Organisational Structure, the Leader has also revised the Executive Portfolios of Cabinet Members set out at Part 2, Chapter 3 of the Constitution. The revised Executive Portfolios will also be effective from 1 January 2023.
- 1.2. Part I, Chapter 17, Paragraph 1.3 of the Constitution requires that changes to the Constitution consequential upon the allocation of responsibility for Executive Functions as determined by the Leader, be reported for information to full Council. Details of revised Executive functions as allocated by the Leader are contained at **Appendix 1**.

### 2. RESPONSIBILITY FOR SELECT COMMITTEE FUNCTIONS

- 2.1. Consequential upon the revised allocation of Executive functions, it is considered appropriate that responsibilities for Scrutiny functions set out at Part 2 Chapter 5 of the Constitution are also revised to reflect the changes. Going forward, it is considered that there should continue to be five Scrutiny Select (Overview and Scrutiny) Committees - Hampshire 2050, Corporate Services and Resources; Children and Young People; Health and Adult Social Care; Universal Services-Transport, Land Management and Environment; Universal Services-Countryside, Culture and Communities. Details of the proposed revised allocation of Scrutiny functions are contained at **Appendix 2**.

### 3. DEPUTATIONS TO THE PENSION FUND PANEL AND BOARD

- 3.1. At its meeting of 18 October 2022, Cabinet considered a report proposing amendments to the rules regarding deputations to the Pension Fund Panel and Board and its sub-committees.
- 3.2. Deputations to the Pension Fund Panel and Board are governed by Standing Order 12 in the County Council's Constitution. Amongst other things, this

requires that deputations shall consist of not more than four people who are local government electors for the administrative area of Hampshire County. This rule precludes deputations being received from otherwise eligible Pension Scheme members who live outside of Hampshire, including those resident in Portsmouth and Southampton, Scheme members who work for other employers in the Hampshire Scheme but do not live in the County Council area and retired or deferred Scheme members who may no longer live in Hampshire.

3.3. This matter was considered by the Pension Fund Panel and Board at its meeting of 28 July 2022 and it was recommended by the Panel and Board that Cabinet recommend the County Council's Constitution be updated to allow Hampshire Pension Fund Scheme members who are **not** local government electors in the County Council's area to make deputations to the Pension Fund Panel and Board and its sub-committees.

3.4. The full report to Cabinet can be found at the following link and is appended to this report at **Appendix 3**:

- [Cabinet 18th October, 2022](#)

#### 4. DIGITAL VOTING

4.1. Currently, save in cases where a recorded vote is required either by law or when requested by a Member in accordance with the Constitution, recommendations and other questions which the County Council needs to determine at full Council meetings are determined by the voices of those present at the meeting.

4.2. As Members will be aware, the technology now exists for digital voting at County Council meetings. Going forward, all matters on which a recorded vote is required will be determined by way of digital voting. It is however considered, in the interests of efficiency at County Council meetings, that where it is anticipated by the Chairman that Members will be in agreement on a recommendation or other question, then the current procedure will continue and voting will be by a show of hands. In other cases where the Chairman considers the outcome of voting on a recommendation or other question is uncertain, or in any other case where the Chairman considers this appropriate, it is considered that digital voting should apply. This will be kept under review. In the meantime, it will be necessary to amend the Constitution to make provision for digital voting.

### RECOMMENDATIONS

That the County Council:

- a) Notes the revised Executive portfolios as referred to in this report and attached at **Appendix 1**, to be effective from 1 January 2023.

## UPDATED REPORT

- b) Agrees the revised Select Committee responsibilities as referred to in this report and attached at **Appendix 2**, to be effective from 1 January 2023.
- c) Approves the changes to the County Council's Standing Orders and to the Terms of Reference of the Pension Fund Panel and Board, set out at Appendices 1 and 2 respectively of the Cabinet report attached at **Appendix 3**.
- d) Agrees that Standing Order 22 be amended to include provision for digital voting.
- e) Authorises the Monitoring Officer to make necessary updates to the County Council's Constitution to give effect to the recommendations at a), b), c) and d) of this report.

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