

HAMPSHIRE COUNTY COUNCIL

Report

Decision Maker:	Cabinet
Date:	13 July 2021
Title:	Constitutional Matters
Report From:	Chief Executive

Contact name: Barbara Beardwell

Tel: 03707 793751

Email: Barbara.beardwell@hants.gov.uk

Purpose of this Report

1. The purpose of this report is to advise changes to the allocation of Executive Functions.
2. Consequential to the revised allocation of Executive Functions, this report also proposes changes to the Local Outbreak Engagement Board (LOEB), and the Cabinet Sub-Committee on Economic Growth and Recovery.

Recommendations

Cabinet is asked to:

3. Note the revised allocation of responsibility for Executive Functions at Appendix 1 of this report, to be reported to the County Council at the County Council meeting of 22 July 2021.
4. Agree that the Cabinet Members of the LOEB will be the Executive Member for Policy and Resources, the Executive Lead Member for Economy, Transport and Environment, the Executive Member for Adult's Services and Public Health, and the Executive Lead Member for Children's Services.
5. Agree that the Cabinet Members of the Cabinet Sub-Committee on Economic Growth and Recovery will be the Executive Member for Policy and Resources, the Executive Lead Member for Economy, Transport and Environment, the Executive Member for Commercial Strategy, Estates and Property and the Executive Member for Recreation, Heritage and Rural Affairs.

Executive Functions

6. Part 1, Chapter 17, Paragraph 1.3 of the County Council's Constitution requires that changes to the Constitution consequential upon the allocation

of responsibility for Executive Functions determined by the Leader, be reported to the Cabinet and then to the County Council.

7. At the Annual General Meeting of the County Council on 27 May 2021, the Leader announced to the County Council, the Cabinet Members and titles of their respective portfolios for the new Administration.
8. The Leader has also determined that there should be two Assistants to the Executive posts to support the Children's Services and Adults' Services and Public Health functions.
9. Attached at Appendix 1 to this report are the details of the new Executive portfolios and the new Assistant to the Executive posts, approved by the Leader.

Local Outbreak Engagement Board (LOEB)

10. In Constitutional terms, the LOEB is a Cabinet Committee previously comprising four members of Cabinet. Following changes to Executive portfolios, it is necessary to review the membership of the LOEB. It is proposed that four Executive Members are appointed, namely: the Executive Member for Policy and Resources, the Executive Lead Member for Economy, Transport and Environment, the Executive Member for Adults' Services and Public Health, and the Executive Lead Member for Children's Services.
11. Other attendees of the LOEB are a representative of the main Opposition Political Group on the County Council, a representative of the District and Borough Councils in Hampshire, and a Non-Executive CCG representative. However these other attendees are not part of the formal LOEB, as by law a Cabinet Sub-Committee can only comprise members of Cabinet.

Cabinet Sub-Committee for Economic Growth and Recovery

12. The Cabinet Sub-Committee for Economic Growth and Recovery is also a Cabinet Committee, which previously comprised four members of Cabinet. Following changes to Executive portfolios, it is also necessary to review the membership of the Sub-Committee. It is proposed that four Executive Members are appointed, namely: the Executive Member for Policy and Resources, the Executive Lead Member for Economy, Transport and Environment, the Executive Member for Commercial Strategy, Estates and Property and the Executive Member for Recreation, Heritage and Rural Affairs.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

This proposal does not link to the Strategic Plan but, nevertheless, requires reporting to Cabinet and a review of membership of the LOEB and the Cabinet Sub-Committee on Economic Growth and Recovery for the good governance of the County Council.

Other Significant Links

Links to previous Member decisions:

<u>Title</u>	<u>Date</u>
Hampshire Local Outbreak Control Plan and Local Outbreak Engagement Board.	14 July 2020

Direct links to specific legislation or Government Directives

<u>Title</u>	<u>Date</u>
Local Government Act	2000

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Equalities Impact Assessment:

It is considered that this report will have no adverse impact or cause no disadvantage to groups with protected characteristics.