



REPORT OF:	DIRECTOR OF HR, LEGAL & CORPORATE SERVICES
TO:	COUNCIL FORUM
ON:	23rd APRIL 2015

SUBJECT: Constitution Update

1. PURPOSE OF THE REPORT

1.1 To advise the Council that the Constitution has been updated following changes in organisational structure previously noted and agreed, statutory changes, changes to the delegations, and to reflect recommendations from the Planning and Highways Committee, and the Standards Committee during 2014/15.

1.2 The Draft Constitution includes the changes introduced by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 which were issued on 25th March 2015 and come into force on 11 May 2015. These regulations introduce new provisions as regards the dismissal of the head of the authority's paid service, the authority's monitoring officer and the chief finance officer. Under the Regulations any proposed disciplinary action against one of those officers, requires the Council to appoint a Panel consisting of independent persons (who have been appointed for the purposes of the members' conduct regime under section 28(7) of the Localism Act 2011) to form an independent panel who will then advise, and make recommendations to the full Council as regards any such dismissal.

1.3 The Constitution is publicly available on the website and is available in printed form in the Group rooms.

2. RECOMMENDATIONS

To approve:

- 1 the amendments made to the Constitution to reflect the resolutions/decisions made at full Council since April 2014:
 - a) the amendments made to the Constitution to reflect changes to the senior management structure, the delegations and legislative changes;
 - and
 - b) to reflect the recommendations made by the Planning and Highways Committee and the Standards Committee during 2014/15.

3. BACKGROUND

The Constitution is a key document setting out the governance framework of the Council. From time to time the constitution needs to be updated to reflect changes in legislation, resolutions passed by Council, portfolio changes made by the Leader, and changes made to the Council management structure and delegations. The Constitution was last updated in April 2014.

4. RATIONALE

Since the last constitutional update there have been some changes, including to the Council's organisational structure requiring updates to chief officer portfolio responsibilities.

The Planning and Highways Committee during 2014-15 have reviewed the delegations to officers in respect of planning applications and the members' referral scheme and those changes are incorporated into the revised Constitution.

The Standards Committee have also reviewed the Members Code of Conduct and the Arrangements for handling Complaints about the Code of Conduct for Members. The recommendations of the Standards Committee are also incorporated in the revised Constitution.

Finally the Constitution includes the requirements brought in by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 as regards the dismissal of the Head of Paid Services, the Monitoring Officer and the Chief Financial Officer.

6. POLICY IMPLICATIONS

Constitutions set out the governance framework for local authorities, which provide the foundations for any local authority that aspires to be effective, progressive and successful.

7. FINANCIAL IMPLICATIONS

None

8. LEGAL IMPLICATIONS

The Local Government Act 2000 requires local authorities to prepare, keep up-to-date and publicise their constitution.

9. RESOURCE IMPLICATIONS

None

10. EQUALITY IMPLICATIONS

The constitution update reflects changes in legislation. It also reflects various resolutions passed at Council, which would have been subject to an equality assessment, if any.

11. CONSULTATIONS

Chief Officer/Member

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Date: 30th March 2015

Background Papers: None

