



REPORT OF:	STRATEGIC DIRECTOR RESOURCES
TO:	COUNCIL FORUM
ON:	28 July 2022

SUBJECT: CONSTITUTION UPDATE

1. PURPOSE OF THE REPORT

To request the Council to approve the updated Council Constitution, as outlined in this report.

2. RECOMMENDATIONS

The Council is asked to:

2.1 approve the updated Council Constitution as contained in the **Appendix**.

2.2 subject to 2.1 above, note that a pdf version of the updated constitution will be published on the Council website.

3. BACKGROUND

Since the last constitution update in October 2021, there has been some changes to the Council management structure and the Leadership. These changes require amendments to be made to the Council's constitution. Other amendments have been made following a review by the Monitoring Officer and in consultation with other key officers. The main amendments are:

- Portfolios for Executive Members (Part 3, section 15) to reflect changes in portfolio responsibilities as confirmed by the Leader.
- Scheme of Delegations (Part 3, section 16) to reflect changes to the Chief Officer structure. The Chief Officer structure changes were reported to Finance Council on 28 February 2022: [Senior Mgt and Constitutional Update.pdf \(blackburn.gov.uk\)](#). The amendments cover a clarification of delegated powers to the Chief Executive in relation changes to polling districts/polling places/polling stations as approved by Policy Council on 6 December 2018: [Review of Polling Districts Polling Places and Polling Stations.pdf \(blackburn.gov.uk\)](#).
- Proper Officer Provisions (Part 3, Section 17) to again reflect changes to the Chief Officer structure.
- Council Staff Structure (Part 8) to reflect changes to Chief Officer structure.
- Member Allowances Scheme (Part 6), following approval by Finance Council on 28 February 2022 of the Independent Remuneration Panel report: [Report 28.02.22. Members Allowances Scheme 2022-23. IRP.pdf \(blackburn.gov.uk\)](#)
- Contract & Procurement Procedure Rules (Part 4, section 8) to reflect changes resulting from the UK leaving the EU and to provide additional clarity on some areas to ensure consistency across the Council.
- Financial Procedure Rules (Part 4, Section 7) as a general update and to provide additional clarity on some areas to ensure consistency across the Council

- Access to Information and Decisions and Attendance at Public Meetings (Part 4, Section 2) to provide additional clarity in relation to decisions, by inserting an appendix: 'Officer Decision Making Policy & Procedure'.

4. POLICY IMPLICATIONS

The Council's constitution is a public document which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.

Constitutions provide the foundations for any local authority that aspires to be effective, progressive and successful.

5. FINANCIAL IMPLICATIONS

None

6. LEGAL IMPLICATIONS

The Local Government Act 2000 requires local authorities to prepare, keep up-to-date and publicise their constitution. The Monitoring Officer has authority to make amendments to the Constitution which are required to comply with the law or to reflect decisions of the Council, but all other changes to the constitution requires the approval of full Council.

7. RESOURCE IMPLICATIONS

None

8. EQUALITY IMPLICATIONS

None, but individual decisions under the powers in legislation and constitution will be subject to the Equality Act 2010 and an equality assessment, if necessary.

9. CONSULTATIONS

Most of the amendments reflect reports made to Council. Key Council Officers have been consulted. The Monitoring Officer holds the version of the Constitution showing the tracked changes and is available for inspection by members and officers.

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Date: 15 July 2022

Background Papers: None

Appendix – Council Constitution (28 July 2022)