

Report To: Full Council
Date of Meeting: May 2017
Lead Member / Officer: Gary Williams, Monitoring Officer
Report Author: Lisa Jones, Deputy Monitoring Officer
Title: **Updates to the Constitution**

1. What is the report about?

To report proposed changes that are required to the Council Constitution in order to keep it up to date and relevant

2. What is the reason for making this report?

A decision is required by the Full Council that the Constitution be updated.

3. What are the Recommendations?

That the amendments as proposed by the Monitoring Officer are adopted and that the Monitoring Officer is authorised to amend the Constitution accordingly.

4. Report details

Some operational changes Officers have made necessitating an update to the Constitution' scheme of delegation. The Council's procurement service has been transferred from Finance, Assets and Housing to Legal, HR and Democratic Services.

Further, in order to improve service communication and work more efficiently, two officers from legal services (one highways and one property lawyer) have been relocated to the Caledfryn office. Certain documents such as traffic regulation orders are required to be physically sealed by an Authorised Signatory to become legal documents; and it makes sense to enable this to take place if necessary there, rather than the document being transferred to County Hall. This will be limited to the areas set out below. All other sealing continues to be dealt with by Legal Services.

There is an operational need (particularly during busy periods such as elections) to expand the range of authorised signatories yet still retaining the authority at a sufficiently senior level.

The proposed amendments are as follows:

4.1 That the Head of Highways; Head of Planning and Public Protection and any individuals within their service authorised in writing by them; have authority to seal and execute documents as an Authorised Signatory in relation to any Section 38

Road Agreements, Section 278 Agreements ; Permanent and Temporary Traffic Regulation Orders, Footpath Diversion Orders and Creation Agreements, Car Park Orders.

4.2 That the Head of Legal, HR and Democratic Services act on a day to day basis as the responsible officer for the strategic and operational delivery of the council procurement service.

4.3 That the S.151 Officer and the Deputy S.151 Officer in the absence of the Monitoring Officer or other authorised signatory within Legal Services, be authorised to seal and execute documents on behalf of the Council.

5. How does the decision contribute to the Corporate Priorities?

The decision contributes towards a modernised Council which looks to minimise processes and work more efficiently.

6. What will it cost and how will it affect other services?

No services or cost implications emanate from this decision.

7. What are the main conclusions of the Well-being Impact Assessment? The completed Well-being Impact Assessment report can be downloaded from the [website](#) and should be attached as an appendix to the report

There are no well being implications.

8. What consultations have been carried out with Scrutiny and others?

No consultation is required; any departmental relocations or transfer of functions have already been made by Senior Officers in consultation with staff, resulting in the Constitution now requiring updating in order to finalise this work.

9. Chief Finance Officer Statement

There are no costs implications as a result of this decision.

10. What risks are there and is there anything we can do to reduce them?

There are no identified risks in taking the decision; however there are risks to the validity of decision making if the Constitution is not updated to reflect decisions that have been made.

11. Power to make the Decision

Local Government Act 2000 requires the Council to have an adopted Constitution.