

Report To:	Council
Date of Meeting:	15 October 2019.
Lead Member / Officer:	Gary Williams, Monitoring Officer
Report Author:	Lisa Jones, Legal Services Manager
Title:	Updates to the Council Constitution

1. What is the report about?

To provide the Council with an annual update and to also advise of the proposed changes that need to be made to the Council Constitution.

2. What is the reason for making this report?

The Corporate Governance Committee terms of reference require any intended changes to the Council Constitution to be considered first before formal adoption by the full council, and the Committee receives a report on the Constitution at least once per year given its importance to the overall governance framework of the Council. The Committee considered a report on the Constitution at its meeting on 11th September and recommended that the changes set out in Appendices 1 and 2 to this report be approved by Council.

3. What are the Recommendations?

- 3.1 That the Council notes the changes made to the Constitution as set out in paragraph 4.1 of the report.
- 3.2 That the Council approves the changes to the Scheme of Delegation as set out in Appendices 1 and 2 to this report.

4. Report details

- 4.1 The Monitoring Officer is satisfied that the Constitution is fit for purpose and confirms that the Constitution has been amended to take into account the following:
 - Section 5.2 relating to the form and composition of Cabinet has been amended to reflect the resolution of council on 19th February 2019
 - Corporate Governance Committee Terms of Reference following the Committee being consulted which was approved by Full Council on the 19th February 2019.
 - Responsibility for Executive Functions – Cabinet Member portfolio changes have been made following changes made by the Leader of the Council.
 - Combined two existing Committees to form the Joint Consultative

Committee for Health & Safety and Employee Relations in accordance with a Council resolution made on 28th March 2019

- Council Members Schedule of Remuneration kept up to date.

4.2 The Council needs to consider the changes that need to be made to the Scheme of Delegation in respect of changes being made as a result of the SLT restructure:

- Officer Scheme of Delegation – the proposed scheme is attached as Appendix 1 dealing with the transfer of certain housing related functions; the transfer of certain asset and estates functions and the responsibility in respect of leisure functions being silent and dealt with under the Cabinet scheme.
- Cabinet Scheme of Delegation as Appendix 2 – an express provision setting out that these functions sit with the relevant lead member.

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

An up to date, transparent and lawful scheme of delegation contributes to effective decision making.

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

There are no direct costs associated with this report

7. What are the main conclusions of the Well-being Impact Assessment?

No well-being impact assessment is required for this decision.

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

The report has been considered by the Corporate Governance Committee at its meeting on 11th September 2019. The SLT restructure is a consequence of the creation of an Alternative Delivery Model for Leisure Services approved by Council on 30th May 2019

9. Chief Finance Officer Statement

There are no direct financial consequences of this report. However it is important that the Council has an up to date, fit for purpose Constitution which forms a key element of the council's governance framework

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

There are no identified risks but it will be a risk to some activities if a valid scheme of delegation is not in place.

11. Power to make the Decision

The Local Government Act 2000 requires all Councils to adopt a Constitution, which

will need to set out that which Council delegates to Officers.