

AMENDMENTS TO CONSTITUTION

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Summary: Presents changes to the constitution to reflect new management structures and other changes, in addition to amendments to the Scheme of Delegations and Contract Standing Orders previously approved by Council in March.

Recommendation: That the amendments proposed are approved and implemented from 10 May 2005

Impact on delivering the Corporate Plan: None

Impact on other statutory objectives (e.g. crime & disorder, LA21): None

Financial and human resource implications: None

Project & Risk Management: None

1. INTRODUCTION

- 1.1 Council on 1 March approved changes to the Scheme of Delegation to the Executive and Committees to reflect changes in management following corporate restructuring, and changes to Contract Standing Orders to reflect new procurement requirements.
- 1.2 This report presents the remaining parts of the constitution, which have been amended to reflect changes following the first phase of corporate restructuring, and other issues as explained below.
- 1.3 Further changes are proposed for Executive Portfolios, which are the subject of a separate report to this meeting.

2. SUMMARY OF AMENDMENTS

2.1 Part 1 – Articles of the Constitution

These have been amended to reflect changes in management following the first phase of corporate restructuring and include a new Mission Statement and Core Values which have already been the subject of consultation with Members at draft stage in late 2004. The relevant changes are shown in Article 1.

2.2 Part 2 – Local Choice Functions

Part 3 – Delegations to Officers

Part 4a – General Standing Orders

Part 4b – Access to Information Procedure Rules

Part 4d – Executive Procedure Rules

Part 4e – Overview and Scrutiny Procedure Rules

These have been amended to reflect changes in management following the first phase of corporate restructuring.

2.3 Part 4h – Officer Employment Procedure Rules

Part 4h has been amended to reflect changes in legislation on mandatory Standing Orders, which the Council must adopt, relating to the recruitment and appointment of the Head of the Paid Service, other chief officers and service heads and other officers, and procedures for the taking of disciplinary action against the holders of these posts. The necessary changes are shown in the revised Part 4h attached.

2.4 Protocol on Member/Officer Relations

This is a new provision which is not a statutory requirement but which local authorities have been strongly advised to adopt under the CIPFA Code of Corporate Governance and ODPM best practice guidelines on local authority constitutions. The protocol has been subject to informal discussions with the 2 main political groups.

List of Appendices

Appendix A – Articles of the Constitution

Appendix B – Local Choice Functions

Appendix C – Scheme of Delegations to Officers

Appendix D – General Standing Orders

Appendix E – Access to Information Procedure Rules

Appendix F – Executive Procedure Rules

Appendix G – Overview and Scrutiny Procedure Rules

Appendix H – Officer Employment Procedure Rules

Appendix I - Protocol

List of Background Documents:

List of Consultees:

Corporate Team; Principal Solicitor