

CHANGES TO CONSTITUTION

EXECUTIVE MEMBER: Cllr E M Woodburn

LEAD OFFICER: M Jepson

REPORT AUTHOR: M Jepson

Summary: Reports on minor changes to the Constitution

Recommendation: That the changes be noted
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1. INTRODUCTION

1.1 On 24 June 2010 Council approved a series of changes to its Constitution. As part of the revised arrangements

Council agreed to the making of “consequential minor amendments of the Council’s current Constitution by the Head

of Legal and Democratic Services, subject to these being reported to the Constitution Working Group.”

1.2 This report brings to Council’s attention some minor amendments made to the Constitution since the last meeting.

2. AUDIT COMMITTEE TERMS OF REFERENCE

2.1 The Audit Committee Terms of Reference at Chapter 15 should have included references to changes to its Terms of Reference endorsed by Council on 2 March 2010. At page 2 of the Chapter the reference to the Statement of Internal Control should be deleted. Additional Terms of Reference should be added as follows:-

“To be responsible for ensuring effective scrutiny of the Treasury Management Strategy and policies.”;

“To receive regular reports about the adequacy and effectiveness of the organisation’s counter fraud and corruption arrangements.” ; and

“To undertake a self-assessment exercise on a yearly basis to ensure that its own effectiveness is regularly reviewed.”

3. OVERVIEW AND SCRUTINY CALL IN CRITERIA

3.1 The Call In criteria at Chapter 8 and Paragraph 14 of the Overview and Scrutiny Procedure Rules needs to be amended at (viii) to refer to the Urgent Action provisions in Chapter 20 rather than the Executive Procedure Rules (since this where the Urgent Action provisions are now to be found) and it is also of value for clarification purposes to add that “ a matter where the associated report has also been considered by the relevant Overview and Scrutiny Committee which has already endorsed recommendations or have had recommendations already accepted by the Executive shall not be subject to the Call In procedure.”

4. REFERENCES TO CORPORATE TEAM

4.1 Within the Constitution, particularly in the Scheme of Delegation and Financial Regulations, there are references to Corporate Team. The Chief Executive has made various changes to the way the

senior officer framework operates. In particular he has set up the Corporate Leadership Team comprising himself and the two Corporate Directors. Therefore in order to align with current arrangements any reference to Corporate Team should be amended to Corporate Leadership Team.

5. STANDARDS COMMITTEE TERMS OF REFERENCE

5.1 Within the Terms of Reference of the Standards Committee at Chapter 16 Standards Committee has an obligation to monitor the Constitution and make recommendations to Full Council in respect of any proposed amendments. In practice the Standards Committee has never regularly reviewed the Constitution although their right to make recommendations should not be precluded. In order to clarify this and to remove the obligation to review the Constitution the Terms of Reference should be amended to provide for the Committee to have the right to review parts of the Constitution where they think it appropriate for them to do so.

6. CONCLUSIONS

6.1 The above amendments are all minor changes to the Constitution and have been considered by members of the Constitution Working Group. Paper copies of the changes will be made available for members to slot in to their copies of the Constitution.

List of Consultees:

Corporate Leadership Team

Background Papers:

Internal emails advising of the need for and consulting on changes