

GOVERNANCE COMMITTEE

28 SEPTEMBER 2015

REPORT OF MONITORING OFFICER

CONSTITUTION UPDATE 2015 16

1.0 PURPOSE OF REPORT

- 1.1 The Committee is requested to consider constitutional items and those approved be referred to the Council for adoption and incorporation into the Council's Constitution.

2.0 RECOMMENDATIONS

- 2.1 **To consider and approve the new design of the Committee Structure diagram within Part 3 of the Constitution set out at Appendix A and if approved, refer to the Full Council for adoption.**

3.0 KEY ISSUES

- 3.1 As the Constitution is a living document, any additions or changes are brought to the Committee's attention as soon as these come to light to enable the Council's work to move forward and the Constitution to be as up to date as possible. The Council's Management Team and T3 (Third Tier Officer Group) are involved in updating their respective areas of the Constitution.
- 3.2 The Committee is to refer its recommendations for amending the Constitution to the Full Council for approval and inclusion in the Constitution.
- 3.3 Committee Structure – Part 3 – Responsibility for Functions

The Committee Structure diagram at Part 3, Responsibility for Functions has been redesigned to take in the new Town Area Committee and the Sports, Leisure & Culture Working Group, the terms of reference for which were approved at Full Council in July 2015 and to ensure it reflects the current decision-making arrangements. Apart from adding the Town Area Committee and the new Working Group the changes are mainly to visually enhance the diagram to ease the reader's understanding and it consolidates the Council's previous decisions.

Should this version be approved it will replace the existing diagram at Page 4 of Part 3, Responsibility for Functions.

This new Committee Structure diagram is presented for approval by this Committee before referral to the Full Council for adoption.

4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 Due to the Constitution being a living document there are times when amendments are needed to enable the organisation to function efficiently. Therefore items will be referred to the Committee as required.

4.2 The regular reviews and updates to the Constitution and ensuring it is up to date on its decision-making processes supports the Council's priority for being a 'Well run Council'.

5.0 **FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

5.1 Any financial and resource implications will be met from existing resources.

6.0 **LEGAL IMPLICATIONS/POWERS**

6.1 Any change in legislation overrides the current wording of the Constitution and the Monitoring Officer has delegated authority to make amendments as required by the law. Therefore such legal consequential changes will be put in place immediately and reported to the Committee as soon as possible thereafter.

7.0 **COMMUNITY SAFETY**

7.1 There are no community safety implications relating to this report.

8.0 **EQUALITIES**

8.1 Equalities Screening Assessments have been drafted on the items within the report and most items presented relate to the legality of decision-making.

9.0 **RISKS**

9.1 The risks associated with report are considered to relate to following legal and constitutional procedures in decision-making.

9.2

L I K E L I H O O D	A	Very High				
	B	High				
	C	Significant				
	D	Low		1,		
	E	Very Low				
	F	Almost Impossible				
			Negligible 1	Marginal 2	Critical 3	Catastrophic 4

IMPACT

Risk No	Risk Description
1	Decisions challenged due to appropriate processes not being followed.

10.0 CLIMATE CHANGE

10.1 The Constitution is available on the Council’s website and electronically to Members and Officers to meet the Council’s corporate commitment to meet green targets.

11.0 CONSULTATION

11.1 There has been internal consultation with Management Team and T3 to ensure the Constitution reflects the Council’s current responsibilities and arrangements.

12.0 WARDS AFFECTED

12.1 All wards are indirectly affected by this report.

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Date: September 2015

Appendices: A – Committee Structure Diagram

Background Papers: Constitution 2015/16

Reference: X : Committees\Governance\2015 16\280915\Constitution Update 2015 16