

Audit & Standards Committee

Date: **24 September 2019**

Report of:	Director of Law and Governance (Monitoring Officer)
Cabinet Member	Portfolio Holder for Corporate Governance, Access and Engagement

REVIEW OF CONSTITUTION – GENERAL UPDATE

1.0 Summary:

- 1.1 To provide the Committee with a list of proposed amendments to the Constitution for comment and feedback before referral to Council for approval in October.

2.0 Recommendations

- 2.1 **To provide comments on the proposed amendments (Appendix A) to the Melton Borough Council Constitution before referral to Council for approval.**

3.0 Report Detail

- 3.1 Following approval of the Council's new governance arrangements Council approved the new Melton Borough Council Constitution on 17 April 2019. That report stated that regular reviews and updates to the Constitution would be required to ensure it is up to date and that the decision-making processes supports the Council's priority for being an 'Agile Council'.
- 3.2 The table at appendix A provides a list of proposed revisions to the constitution and corresponding justification for the addition/amendment.:
- 3.3 Amendments are proposed where it has been identified that application of the provision is frustrated by the use of complicated or anomalous wording, or where adding/amending provisions would provide improvements in delivery of council services and enable the organisation to function efficiently
- 3.4 The constitution should be regularly reviewed and updated to ensure that the Council's Constitution remains relevant and fit for purpose to ensure the Council is able to continue to work efficiently and quickly to meet its commercial ambitions.

4.0 Consultation and Feedback

- 4.1 The proposed amendments have arisen as a result of Officer and Member feedback on current anomalies and provisions which either do not currently exist or have been proved to be difficult to apply in practice and require amendment to ensure that the constitutional provisions can be applied to achieve the outcomes

originally intended.

4.2 The Audit and Standards Committee forms part of the consultation process, so the comments of committee members can be presented to Council to consider before approval of changes to the constitution.

4.3 The Portfolio Holder for Corporate Governance, Access and Engagement has been consulted.

5.0 Next Steps

5.1 The report will be revised as appropriate to take account of feedback from the Committee and will be presented to Council for approval in October.

6.0 Financial Implications

6.1 There are no financial implications.

7.0 Legal and Governance Implications:

7.1 It is a legal requirement to have a constitution. The Council cannot make decisions without proper governance arrangements in place.

7.2 Under Chapter 2, Part 6 of the Constitution one of the functions of the Audit and Standards Committee is to provide comments to Council on significant amendments to the Constitution.

7.3 The adoption and approval of amendments to the Constitution is a matter reserved to Council.

8.0 Equality and Safeguarding Implications:

8.1 There are no equality and safeguarding implications.

9.0 Community Safety Implications:

9.1 There are no safeguarding implications.

10.0 Other Implications

10.1 None

10.2

11.0 Risk & Mitigation:

11.1 There are no risks associated with the Committee providing comments.

Background Papers:

[The Melton Borough Council Constitution](#)

Appendices

Appendix A – Proposed Changes to the MBC Constitution

Report Timeline:

Equalities Check & Challenge	N/A
SLT Sign off	N/A
Previously Considered by Cabinet	N/A
Director Approval	13/09/2019
Chief Finance Officer Sign Off	16/09/2019
Monitoring Officer Sign Off	16/09/2019

Report Author & Job Title

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