

**REVIEW OF CONSTITUTION  
(Report by the Head of Administration)**

**1. INTRODUCTION**

- 1.1 At their meeting held on 24th April 2002 and in acknowledging that the Council's Constitution would continue to evolve, the Council requested the Standards Committee to undertake an annual review of the Constitution. Under their terms of reference, oversight of the constitutional arrangements of the Council is the responsibility of the Standards Committee.
- 1.2 Members may recall that the Committee reviewed the operation and content of the Constitution in Spring 2003 and that a number of changes were made as a result. Most notable of these was the introduction of procedures to allow "Questions by Members" to Executive Councillors and Chairmen of Panels at the Council meeting, the establishment of an Elections Panel and the refinement of the procedure rules for the operation of the Overview and Scrutiny Panels.
- 1.3 The Council may amend their Constitution at any time, subject to regard being paid to formal guidance issued by the Secretary of State. Any change will require reference to the Secretary of State only if the Council proposed to change significantly the present form of Executive and Scrutiny arrangements.
- 1.4 Any changes recommended by the Standards Committee as part of their annual review will be considered by the Council for adoption with effect from the Annual Meeting to be held on 23rd June 2004.
- 1.5 All Members of the Council have been supplied with a copy of the Constitution. This can also be found electronically on the Council's website and intranet. A paper copy is available in the Members' Room.

**2. REVIEW**

- 2.1 The requirements of the Local Government Act 2000 were implemented fully in the Constitution with effect from the Annual Meeting in May 2002. Before commencing their 2003 review, the Standards Committee had acknowledged that whilst some adjustment to the Constitution would be desirable they did not envisage that fundamental change would be necessary.
- 2.2 Arguably, as the Constitution has now been operating satisfactorily for nearly two years, the need for substantial variation to its content should

not be necessary. Although only minor amendments are anticipated under the 2004 review, there may still be occasions when changes will be necessary as a result of updates in legislation and practice.

2.3 The timetable for the review is as follows:-

- ◆ the Cabinet and all Panels will be provided with an opportunity to comment collectively on those aspects of the Constitution which affect their terms of reference during February;
- ◆ Members have been invited to submit comments individually by the end of January;
- ◆ comments raised, plus any forthcoming from Officers will be considered at the Standards Committee meeting to be held on 24th March;
- ◆ Group Leaders will be invited to attend, if necessary, to represent views of their Groups to the Standards Committee meeting;
- ◆ revisions to the Constitution recommended by the Standards Committee will be considered by the Council at their meeting to be held on 7th April;
- ◆ revisions to the Constitution adopted by the Council will be implemented with effect from the Annual Meeting on 23rd June 2004.

### **3. CONCLUSION**

3.1 The Cabinet are invited to submit any comments which they may wish to make on the present Constitutional arrangements for consideration by the Standards Committee.

### **BACKGROUND PAPERS**

Council Constitution.

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