

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

1. INTRODUCTION

- 1.1 The requirements of the Local Government Act 2000 were implemented fully in the Constitution as from the Annual Meeting in May 2002. Since then the Standards Committee has undertaken an annual review of the Constitution in the light of the experience of individual Councillors, the Cabinet and all Panels and Chief Officers and Heads of Service over the preceding year.
- 1.2 Members may recall that the Corporate Governance Panel was established by the Council in July 2004 to deal principally with the non-executive issues of audit, governance and finance. Because of impending changes to the workload of the Standards Committee it was considered, at that time, that some of the duties within that Committee's terms of reference might more appropriately lay with the Corporate Governance Panel. This included responsibility for **'Oversight of the Council's Constitutional arrangements and advising the Council of any changes that may be desirable'**.
- 1.3 Accordingly it is for the Corporate Governance Panel to undertake the forthcoming review of the Constitution. Any changes recommended for adoption to the Council would take effect from the Annual Meeting to be held on 18th May 2005.
- 1.4 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 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.
- 2.2 In 2004, constitutional changes resulting from the review enabled an Independent Member to be elected to chair the Standards Committee and concluded other matters relating to the appointment of Independent Members.
- 2.3 With the Constitution operating satisfactory for almost three years now, it is arguable whether there is any requirement for significant change to its content. However, several minor amendments have been suggested during the course of the year and it is accepted that Members might also wish to propose some adjustments which could

improve the effectiveness and operation of the Constitution as it manages the Councils business. Of course, there will also still be occasions when changes will be necessary as a result of updates in legislation and practice.

2.4 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 Corporate Governance Panel meeting to be held on 23rd March;
- ◆ Group Leaders will be invited to attend, if necessary, to present the views of their Group to the Corporate Governance Panel;
- ◆ revisions to the Constitution recommended by the Corporate Governance Panel will be considered by the Council at their meeting to be held on 13th April;
- ◆ revisions to the Constitution adopted by the Council will be implemented with effect from the Annual Meeting on 18th May 2005.

3 CONCLUSION

3.1 The Cabinet are invited to submit any comments that they may wish to make on the present constitutional arrangements for consideration by the Corporate Governance Panel.

BACKGROUND PAPERS

COUNCIL CONSTITUTION

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