

**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 and up to 2005, the Standards Committee and more recently the Corporate Governance Panel has undertaken an annual review of the Constitution in the light of the experience of individual Councillors, the Cabinet, Panels, Chief Officers and Heads of Service over the preceding year.
- 1.2 The Corporate Governance Panel was established by the Council in July 2004 to deal principally with the non-executive issues of audit and governance. Its terms of reference also include responsibility for “oversight of the Council’s constitutional arrangements and advising the Council of any changes that may be desirable”. During the 2005 review, the Panel formed the view that the Constitution should be reviewed comprehensively at biennial intervals thereafter.
- 1.3 Therefore, the Corporate Governance Panel is required to undertake a review of the Constitution in 2007. Any changes recommended for adoption to the Council will take effect from the next annual meeting which is to be held on 16th May 2007.
- 1.4 All Members of the Council previously have been supplied with a copy of the Constitution and this can also be found electronically on the Council’s website and intranet. A hard 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 the past, constitutional changes resulting from the review have, for example, enabled an Independent Member to be elected to chair the Standards Committee, concluded other matters relating to the appointment of Independent Members and created the Elections Panel.
- 2.3 As the Constitution has operated satisfactorily for some time now, it may be questionable whether there is a requirement for any significant change to its content. However, some adjustments may be suggested to improve its effectiveness and operation. The opportunity also will be taken to implement changes 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 28th March;
- ◆ Group Leaders will be invited to attend, if appropriate, to present the views of their Groups 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 18th April;
- ◆ revisions to the Constitution adopted by the Council will be implemented with effect from the annual meeting on 16th May 2007.

3. CONSTITUTION

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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