

**HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Review of the Constitution

**Meeting/Date:** Standards Committee - 3rd March 2016

**Executive Portfolio:** Councillor R Harrison – Executive Councillor for Strategic Economic Development and Legal

**Report by:** Services Director (Resources) and Monitoring Officer

**Ward(s) affected:** All

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**Executive Summary:**

The Council's Constitution should enable it to carry out its business effectively. External legal experts have deemed the current Constitution to be no longer fit for purpose. A review has, therefore, been undertaken.

The revised Constitution contains changes, which affect the Standards Committee. It is proposed that it will in future become a Sub-Committee of the Corporate Governance Panel.

The timetable for the adoption of the revised Constitution indicates that it will come into force at the start of the new Municipal Year.

**Recommendation:**

That the content of the report is noted.

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## **1. WHAT IS THIS REPORT ABOUT/PURPOSE?**

- 1.1 The Council's Constitution should enable it to carry out its business effectively. It sets down the necessary procedure about decision-making which should be followed, and the Council must abide by it, unless it is in conflict with legislation, which will then prevail. As reported at the Committee's meeting in June 2015, external legal experts deemed the current Constitution to be no longer fit for purpose. A review has, therefore, been undertaken.

## **2. FURTHER DETAILS**

- 2.1 The revised Constitution contains changes, which affect the Standards Committee. At present the Committee's remit in respect of Code of Conduct / Standards Regime includes:

- The promotion and maintenance of high standards of conduct within the Council;
- To advise the Council on the adoption or revision of its Codes of Conduct for Members;
- To monitor and advise the Council about the operation of its Code of Conduct for Members in the light of best practice and changes in the law;
- Assistance to members and co-opted members of the Council;
- To ensure that all members and co-opted members of the Council have access to training in all aspects of the Members Code of Conduct, that this training is actively promoted and that members are aware of the standards expected from them under the Code;
- Functions relating to standards of conduct of members under any relevant provision of, or regulations made under, the Localism Act 2011;
- To advise the Council on the adoption or revision of a Protocol for Member/Officer relations;
- To advise the Council on the adoption of a Code of Conduct for Planning and monitoring operation of the Code;
- The promotion and maintenance of high standards of conduct within the town and parish councils within Huntingdonshire; and
- To ensure that all members of town and parish councils in Huntingdonshire have access to training in all aspects of their relevant Codes of Conduct, that this training is actively promoted and that members are aware of the standards expected from them under their Codes.

It is proposed that the Committee will in future become a Sub-Committee of the Corporate Governance Panel. This will enable it to focus on matters relating to the Code of Conduct / Standards Regime.

- 2.2 The Standards Committee's other responsibilities in relation to complaints and electoral arrangements will transfer to the Corporate Governance Panel.

## **3. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

- 3.1 The revised Constitution will be considered by the Corporate Governance Panel with a request that it is endorsed for submission to the full Council. Subject to the decision of the Corporate Governance Panel, it will then be submitted to the Council for adoption, to come into force with effect from the start of the new Municipal Year.

## **BACKGROUND PAPERS**

None.

**CONTACT OFFICER**

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