



Report of: Acting Director of Law and Governance

Meeting of	Date	Ward(s)
Council	5 July 2018	All

Delete as appropriate:	Exempt	Non-exempt

Subject: CONSTITUTION UPDATE

1. Synopsis

- 1.1 This report proposes a number of changes to the Council's Constitution to ensure it reflects changes in legislation and council policy and remains fit for purpose.

2. Recommendations

- 2.1 To approve the amendments to the Constitution as set out in the attached Appendix 1.
- 2.2 To adopt the Members Allowance Scheme for 2018/19.
- 2.3 To authorise the Director of Law and Governance to make any consequential amendments to the Constitution considered necessary.

3. Background

- 3.1 Appendix 1 contains extracts from the Constitution in which proposed changes are marked, by crossing through in the case of deletions and by underlining in the case of additions. The main changes proposed are described below. It is also proposed to make minor amendments to correct typographical errors.

4. Main proposed changes

4.1 Part 7: Members' Allowance Scheme

The Council is required to agree the Members' Allowance Scheme annually. The proposed amendments include:

- Changes to the benefits section of the report, in response to the introduction of Universal Credit, changes to Members' Allowances to reflect the Local Government Pay Settlement and changes to appointments following Annual Council.

4.2 Part 4: Procedure Rules

The proposed amendments include:

- Changes to facilitate and encourage resident participation, extending the arrangements that allow members of the public to ask questions at meetings, by allowing questions with notice at the Budget Council meeting each year.
- A numbering correction in the Access to Information rules.

4.3 Part 2: Articles

The proposed changes include:

- Article 10 – to clarify the arrangements for convening Ward Partnership meetings.
- Article 13 – to clarify the Key Decision criteria.

4.4 Part 5: Terms of Reference

The proposed changes are to update the following Committee TORs:

- Voluntary and Community Sector Committee
- Children's Services Scrutiny Committee
- Licensing Committee
- Licensing Regulatory Committee
- Planning Committee

4.5 Nomenclature changes

The proposed changes include updating all references to Children's Services Department and Housing Operations.

5. Implications

5.1 Financial Implications

There are no financial implications arising directly from this report.

5.2 Legal Implications

Legal implications are contained in the body of the report.

5.3 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding. There are no resident impact implications arising directly from this report.

5.4 **Environmental Implications**

There are no environmental implications arising directly from this report.

6. Conclusion and recommendations

6.1 A number of changes are proposed to the Constitution in this report to ensure that the Council's Constitution remains up to date and fit for purpose.

Background papers: None.

Attachments: Appendix 1 – Extracts from the Constitution

Final Report Clearance

Signed by



27 June 2018

Acting Director of Law and Governance

Date

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