



**Report of: Acting Director of Law and Governance**

<b>Meeting of</b>	<b>Date</b>	<b>Ward(s)</b>
Council	27 June 2019	All

<b>Delete as appropriate:</b>	Exempt	Non-exempt
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## **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' Allowances Scheme for 2019/20.
- 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.

## **4. Main proposed changes**

### **4.1 Part 7: Members' Allowance Scheme**

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

- Changes to Members' Allowances to reflect the Local Government Pay Settlement;
- Changes to the recipients of special responsibility allowances following appointments made at Annual Council; and
- Changes to the Carer's Allowance to bring the allowance in line with the 'real living wage'.

### **4.2 Part 3: Responsibility for Functions**

The proposed amendments include:

- Changes to Paragraph 4, Matters Reserved for Executive Decision, to clarify which budget matters are reserved for decision by the Executive, and which the Executive must refer to Council for decision.

## **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 – Proposed Changes to the Constitution

**Final Report Clearance**

Signed by



19 June 2019

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Acting Director of Law and Governance

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Date

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