

General Purposes Committee Meeting	Agenda Item:
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Meeting Date	28th October 2010
Report Title	Constitution Review
Portfolio Holder	Leader
SMT Lead	Mark Radford
Head of Service	Monica Blades-Chase
Lead Officer	Katherine Bescoby
Key Decision	No
Classification	Open
Forward Plan	Reference number:

Recommendations	1. That members consider the matters listed in Appendix 1, which will form the basis of a report to the Council on 1st December 2010.
	2. That members recommend amendments to the Constitution, where required, to the Full Council meeting to be held on 1 December 2010

Purpose of Report and Executive Summary

- 1.1 This report sets out areas for the General Purposes Committee to consider, prior to making recommendations to the Council.

2 Background

- 2.1 At the Council meeting held on 13th October, the Council agreed a work programme and timetable for the review of the constitution; and that the terms of reference of the General Purposes Committee would be extended to consider and make recommendations to Council regarding the constitution. The Council also noted the changes required by legislation and that those amendments would be made under the delegations to the Corporate Services Director.

3 Proposal

- 3.1 The Committee is asked to consider the proposed changes to the constitution. Appendix I provides an updated work summary. Those areas that have already been completed have been removed from the summary.
- 3.2 It should be noted that the constitution review will be an ongoing process. The Committee is asked at this time to go through the updated summary and make comments, and to consider the proposed amendments to the Contract Standing

Orders as show in Appendix II. This will form the basis of the report to the Council meeting on 1st December, which will also be considering the new Executive governance arrangements (i.e. Elected Mayor or Strong Leader model).

- 3.3 There will be a need to have a further General Purposes Committee meeting in the new year, to reflect a number of further changes to the Constitution that cannot be made at this time such as amendments: -
- required by the Localism Bill;
 - regarding Scrutiny;
 - regarding Planning matters including:
 - clarifying roles regarding planning, in particular section 106 agreements,
 - the LDF Panel
 - regarding the arrangements replacing the Members' code of conduct and any impact on planning procedures and any changes in the law on pre-determination.
 - regarding the Audit Committee
 - regarding the Licensing Committee (Licensing Procedure Rules or an update to public participation rules)

3.3 After the December Council meeting, the next scheduled Council meeting in 2011 is in February and there will not be another meeting until the Annual Council meeting. Members may need to consider whether an extra Council meeting will be necessary in March, given that the February meeting is for budget setting.

4 Alternative Options

4.1 The Council agreed the timetable and work programme at its meeting on 13th October 2010.

5 Consultation Undertaken or Proposed

5.1 Group Leaders have been consulted regarding the proposed arrangements regarding the constitution review. All Members have been given the opportunity to consider a summary of the recommended amendments and to feedback any comments to the Democratic and Electoral Services Manager or the Interim Head of Legal and Democratic Services.

6 Implications

Issue	Implications
Corporate Plan	High Performing Organisation
Financial, Resource and	The constitution will be updated within existing resources however timing is critical given that the section is heavily involved in the

Property	running of the elections in 2011.
Legal and Statutory	<p>The proposals in this report are intended to ensure that the constitution is up to date; that the revised constitution complies with legislation; and that Members are aware of the reasons for amendments.</p> <p>Most amendments required to comply with changes in legislation can be made pursuant to the Corporate Services Director's delegation in Part 3 of the Constitution "To make any necessary updates to the constitution (as required by law) where there is no discretion."</p>
Crime and Disorder	No issues identified at this stage.
Risk Management and Health and Safety	No issues identified at this stage.
Equality and Diversity	No issues identified at this stage.
Sustainability	No issues identified at this stage.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report

- Appendix I: Constitution review work programme
- Appendix II: Suggested changes to Contract Standing Orders

8 Background Papers

8.1 Reports to Council 13th October 2010.

Summary of proposed changes to the Constitution