

APPENDIX I

General Purposes Committee	
Meeting Date	3 March 2016
Report Title	Constitution Review
Cabinet Member	Cllr Andrew Bowles , Leader
SMT Lead	Mark Radford
Head of Service	
Lead Officer	Katherine Bescoby, Democratic and Electoral Services Manager
Key Decision	No
Classification	Open
Forward Plan	Reference number:
Recommendations	1. That the Committee considers the report and the working papers and makes recommendations to Council. (Recommendations from this Committee will be presented to Council on 16 March 2016.)

1 Purpose of Report and Executive Summary

1.1 Reviewing the constitution regularly ensures it is fit for purpose and maintains good governance and decision making arrangements. The review of the constitution is an on-going task and it is timely to look at the items presented in this report.

1.2 The report sets out the details of:

- A minor amendment to clarify the Council Procedure Rules in relation to motions submitted as amendment to the budget to ensure that business is conducted effectively and efficiently.
- Suggested changes to the Officer Scheme of Delegation.
- Suggested Planning Committee Procedure Note.

(Whilst a review of all the procedure rules has been undertaken, it should be noted that regulations and the statutory Modular Constitution guidance means that the review has concentrated on those areas where the Council has discretion.)

1.3 Elsewhere on the agenda there are separate reports relating to

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- the review of the Local Engagement Forums and the Rural Forum and
- the motion that was referred from Council on 27 January to amend note (i) of Part 3.2.1 of the Constitution in relation to the Head of Planning's delegation to defer matters where the Committee is minded to make a decision that would be contrary to officer recommendation and contrary to policy and/or guidance.

1.4 Any recommendations from these reports will also be presented to Council on 16 March 2016.

2 Background

2.1 Working papers have been prepared on the proposed amendments to the Officer Scheme of Delegation and the Planning Committee Procedure Note.

3 Proposals

3.1 The Committee is asked to give a view and make recommendations to the Council regarding the points raised in the Working Papers in the report. In addition the Committee is asked to agree an additional point of clarification under Council Procedure Rule in relation to the amendment to the budget.

3.2 The current procedure rule reads "amendments to the budget are to be made in writing and delivered to the Proper officer by 5pm on the Monday before the meeting" it is suggested that the following addition be made:

In proposing any changes to the budget any amendment must ensure that the proposal achieves a balanced budget

4 Alternative Options

4.1 There is discretion on the proposals set out in the Working Papers; matters where there is no discretion in relation to law and statutory guidance do not form part of this report.

5 Consultation Undertaken or Proposed

5.1 The review of the Constitution is the role of this Committee. All members do receive all council agendas and reports and can attend the Committee. All recommendations from this Committee have to be agreed by Council.

6 Implications

Issue	Implications
Corporate Plan	Having an up to date Constitution is important for good governance and decision making and is part of the Council to be proud of

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	objective.
Financial, Resource and Property	None at this stage, it is anticipated that the work arising out of the review will be contained within existing resources.
Legal and Statutory	Where there is a change as a result of legislation or regulation, or suggested on the basis of legal advice this is set out in the working papers.
Crime and Disorder	None identified at this stage.
Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.

7 Appendices

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

- Working Papers – proposed changes to Officer Scheme of delegation and suggested Planning Committee Procedure Note.

8 Background Papers

None