

Council/ Meeting		Agenda Item:
Meeting Date	21 March 2018	
Report Title	Constitution review	
Cabinet Member	Cllr Andrew Bowles, Leader.	
SMT Lead	Donna Price, Monitoring Officer	
Head of Service	Donna Price, Monitoring Officer	
Lead Officer	Katherine Bescoby, Democratic and Electoral Services Manager	
Key Decision	No	
Classification	Open	
Forward Plan	Reference number:	
Recommendations	<ol style="list-style-type: none"> 1. The revised scheme of officer delegation as set out in the revised working paper to the report be agreed. 2. The proposed amendments to the procedure rules for the Standards Committee as set out in the revised working paper be agreed. 3. The proposed clarification of the arrangements relating to exempt reports in exceptional circumstances as set out in the revised working paper be adopted. 4. The proposed revisions to Contract Standing Orders be adopted. 5. That the Local Development Framework Panel be renamed the Local Plan Panel. 6. The proposed revisions to the Council Procedure rules be adopted (working papers to follow after the reconvened General Purposes Committee). 7. The proposed revisions to the Officer Appointment Procedures Rules be adopted (working papers to follow after the reconvened General Purposes Committee). 8. The Code of Conduct complaint assessment criteria (working papers to follow after the reconvened General Purposes Committee). 	

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the recommendations from General Purposes Committee (GPC) held on 8 March 2018 for consideration and adoption by Council.

The working papers set out the details of:

- The latest update on officer delegations
- Standards Committee Procedure Rules to reflect a change in the appointment of the Chair of the Hearings Panel
- Member and officer access to exempt reports – to clarify the arrangements relating to exempt reports in exceptional circumstances
- Contract Standing Orders – proposed amendments to ensure the content reflects current legislation and requirements

Further working papers will follow, after the reconvened General Purposes Committee meeting on 14 March 2018.

- Council Procedure Rules – to consider any suggestions in relation to the arrangements regarding meetings
- Matter referred by the Appointments Committee/Council – to consider recommendations from GPC
- Code of Conduct assessment criteria – addition to constitution to reflect the current arrangements.

2. Background

- 2.1 Attached to this report are the relevant papers presented to General Purposes Committee. As necessary the following working papers have been revised to reflect GPC's discussions:
- 2.2 In relation to Officer delegations – attached is working Paper 1 which includes the suggested amendments agreed by GPC.
- 2.3 Working Paper 2 reflects the agreement to revised procedure rules for the Standards Committee to reflect a change in the appointment of the chair of the Panel.
- 2.4 Working Paper 3 sets out the proposed clarification of the arrangements relating to exempt reports in exceptional circumstances as agreed by GPC.
- 2.5 Working Paper 4 sets out the proposed revisions to Contract Standing Orders which were agreed by GPC.
- 2.6 Matters relating to: Council procedure rules, matters referred by the Appointments Committee/Council and Code of Conduct Complaint Assessment criteria will be

considered at the reconvened meeting of GPC on 14 March 2018 and working papers and any recommendations will be to follow.

1. Proposals

- 3.1 Council is asked to agree to the recommendations submitted by GPC that the following be added to the Constitution:
1. The revised scheme of officer delegation as set out in the revised working paper to the report be agreed.
 2. The proposed amendments to the procedure rules for the Standards Committee as set out in the revised working paper be agreed.
 3. The proposed clarification of the arrangements relating to exempt reports in exceptional circumstances as set out in the revised working paper be adopted.
 4. The proposed revisions to Contract Standing Orders be adopted.
 5. That the Local Development Framework Panel be renamed the Local Plan Panel.
 6. The proposed revisions to the Council Procedure rules be adopted (working papers to follow after the reconvened General Purposes Committee).
 7. The proposed revisions to the Officer Appointment Procedures Rules be adopted (working papers to follow after the reconvened General Purposes Committee).
 8. The Code of Conduct complaint assessment criteria (working papers to follow after the reconvened General Purposes Committee).

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.
- 4.2 GPC have considered the working papers and made the recommendations set out in para 3.

5 Consultation Undertaken or Proposed

- 5.1 The review of the Constitution is the role of GPC. All members do receive all council agendas and reports and can attend the Committee. All recommendations from GPC 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 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:

Appendix I: Working Paper re Scheme of Officer Delegation
Appendix II: Working Paper re Standards Committee Procedure Rules
Appendix III: Working Paper re Member and officer access to exempt report
Appendix IV: Working Paper re Contract Standing Orders
Appendix V: Working Paper re Council Procedure Rules (to follow)
Appendix VI Working Paper re Officer Appointment Rules (to follow)
Appendix VII: Code of Conduct Complaint Assessment Criteria (to follow)

8 Background Papers

Agenda and Minutes of the General Purposes Committee meeting held on 8 March 2018 www.swale.gov.uk