

Report of the Chief Executive

CONSTITUTION WORKING PARTY

1 Purpose of report

The report sets out a proposal to reconvene a Constitution Working Party to consider a number of constitutional matters.

2 Executive summary

From time to time the Council has used a Working Party to review various elements of the constitution. There are a number of constitutional matters where a report to Committee and Council will be necessary during this civic year. The report suggests the formation of a new Working Party to work with officers in preparing suitable advice on the various issues for members.

3 Appendices

A. Proposed Terms of Reference for a Constitution Working Party.

4 Proposed action:

The committee is invited to **RECOMMEND** that:

4.1 A Constitution Working Party consisting of 7 members of the Resources Committee is established.

4.2 Subject to any additions, deletions or amendments the Terms of Reference for the Constitution Working Party be as set out in Appendix A.

4.3 If a Constitution Working Party is convened it should remain in place until 31 March 2015.

5 Background/Discussion

5.1 When matters related to the Constitution require consideration the Council's practice has been to convene a Constitution Working Party to work with the Council's Statutory Officers (the Chief Executive, the Monitoring Officer and the Section 151 officer) to consider and advise on any amendments to the Constitution.

- 5.2 Most recently the previous Constitution Working Party advised Council on the terms of reference in relation to the new Committee arrangements agreed at Annual Council in May 2014.
- 5.3 In addition to the Committee Terms of Reference approved in May there are a number of other consequential changes and amendments that need to be considered. There are also some recent legislative changes that need to be implemented. Alongside all of this our new Monitoring Officer advises a review of the current Constitution would be prudent.
- 5.4 Given the importance of the members of any Constitution Working Party having a detailed knowledge of the Council's priorities and strategic direction both the Leader of the Council and the Chief Executive recommend that the membership should be drawn from the current membership of the Council's main strategic policy committee, i.e. the Resources Committee.
- 5.5 It is proposed that a Constitution Working Party comprising 7 members of the Resources Committee should be convened. As there are a number of issues to be considered it is proposed that the Working Party remains in existence until the end of the 2014/15 Civic Year which is effectively the Council meeting on 31 March 2015.
- 5.6 Suggested Terms of Reference for the Working Party are set out at Appendix A for comment, amendment and approval.

6 Legal, Financial, Risk and Value for Money implications

- 6.1 The Council is required to maintain adequate governance arrangements for the purposes of carrying out all of its functions.
- 6.2 There is a legal requirement under Section 37 of the Local Government Act 2000 for local authorities to adopt a constitution and keep it up to date. The Council's current constitution also provides for regular review and revision as necessary.

7 Author and contact officer

John T Campbell, Chief Executive

8 Consultees

Sue Lyons, Monitoring Officer

Liz Elliott, Head of Finance

Bridget Lawrence, Head of Resources

Julie Thomas, Interim Head of Planning and Local Development

9 Background papers

The Council's Constitution.

Appendix A

Constitution Working Party

Draft Terms of Reference – September 2014

1. Name.

The Working Party will be called the Constitution Working Party (CWP).

2. Membership.

The CWP will comprise 7 members of the Resources Policy Committee. Other Council members and representatives from outside agencies may be invited to attend from time to time at the discretion of the Chairman.

3. Chairman.

The Chairman of the CWP will be the Leader of the Council.

4. Responsibilities.

- a) The CWP will consider all matters related to the Council's constitution and provide advice and any appropriate recommendations to the Resources Committee and/or Council.
- b) The CWP will work closely with the Council's senior officers, particularly the Statutory Officer roles of Head of the Paid Service, Monitoring Officer and Section 151 (Chief Finance) Officer.

5. Duration.

The CWP will meet as and when necessary at any time until the end of the 2014/15 Civic Year on 31 March 2015.

