

<b>REPORT TO</b>	<b>DATE OF MEETING</b>
<b>GOVERNANCE</b>	<b>26 NOVEMBER 2009</b>

Report template revised June 2008



<b>SUBJECT</b>	<b>PORTFOLIO</b>	<b>AUTHOR</b>	<b>ITEM</b>
<b>REVIEW OF THE COUNCIL'S CONSTITUTION</b>	<b>NOT APPLICABLE</b>	<b>J DAKIN</b>	<b>7</b>

## **SUMMARY AND LINK TO CORPORATE PRIORITIES**

The report enables members to consider the approach to the next review of the Council's Constitution.

## **RECOMMENDATION**

That members consider the approach to the next review of the Constitution.

## **DETAILS AND REASONING**

### **Background**

Under its Terms of Reference, the Committee is responsible for taking an overview of the Council's Constitution. Additionally, in accordance with Article 15 of the Constitution, the Monitoring Officer has a duty to monitor and review the operation of the Constitution to ensure that it is fit for purpose. A log of relevant issues is kept by Democratic Services to inform future reviews.

The Council's Constitution was first adopted in December 2001. The document is comprehensive with its format being heavily dictated by statute. The Constitution can be found on Members Online and the Council's web-site. Several previous reviews have been undertaken, including an in-depth review in 2007 and light-touch reviews in May 2008 and April 2009.

A further in depth review is scheduled for 2010/11.

### **Approach to the next review**

It is proposed to undertake an in-depth review of the Constitution during the remainder of 2009/10 and report the findings to full Council no later than 14 April 2010.

It would be helpful to obtain members' views on the scope and scale of the proposed review prior to work commencing. Initial discussions with the Chairman have identified the following as possible topics for consideration:-

- Public Participation in Council/Cabinet/Committee meetings
- Relative roles of full Council/Cabinet
- Members' Civic role

Additionally, new (mandatory) Executive arrangements that must be in place no later than May 2011, to comply with the Government's requirements.

Members' views are requested.

## WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas listed below, and the table shows any implications in respect of each of these.

<b>FINANCIAL</b>	There are no financial implications at this stage.		
<b>LEGAL</b>	All relevant legislation will need to be assessed as part of the proposed review.		
<b>RISK</b>	Ensuring that the Constitution is up to date and applied effectively is a key element of the corporate governance of the Council. Accordingly, any failure to keep the Constitution fit for purpose could present a risk.		
<b>OTHER (see below)</b>	None		
<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

## BACKGROUND DOCUMENTS

The Council's Constitution (*available on 'Members Online' and the Council's web-site*)  
 Light-touch Review of the Constitution (*Council - April 2009*)