

SUBJECT:	Review of the Council's Constitution
REPORT OF:	Monitoring Officer
RESPONSIBLE OFFICER	Jim Burness, Director of Resources
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WARD/S AFFECTED	None

1. Purpose of Report

To approve changes to the Constitution recommended by Governance and Electoral Arrangements Committee following an annual review of the Constitution.

RECOMMENDATION

That the proposed revisions to the Constitution set out in paragraph 3.2 of the report be approved.

2. Reasons for Recommendation

Following the detailed review of the Constitution carried out in 2016/17 the Council agreed to undertake annual reviews to ensure it remained up to date and fit for purpose.

3. Content of Report

- 3.1 A full review of the Constitution was undertaken by the Governance and Electoral Arrangements Committee in 2016/17 and an updated version came into effect in June 2017. This review took account of legislative changes since the previous review in 2010, revised committee and cabinet arrangements agreed by the previous Constitutional Review Committee and Full Council in 2015, as well as incorporating shared working arrangements with South Bucks District Council in place at the time. In view of the recent update further substantial revisions should not be necessary on an annual basis. However, when adopting the revised Constitution Full Council agreed that it should be the subject of annual review.
- 3.2 There have been organisational changes since June 2017 which need to be reflected in the Constitution and also some amendments are required to clarify/update provisions. The proposed revisions are set out below under the relevant Part and Section of the Constitution.
- **Part 2 Section A Committee Organisational Structure**
Cabinet portfolios to be updated to delete Sustainable Development and insert Planning and Economic Development
 - **Part 2 Section B Article 9 Audit and Standards Committee**

Reference in the Committee's terms of reference to dealing with politically restricted posts under the Local Government and Housing Act 1989 to be deleted. This was repealed by the Localism Act 2011 and the functions passed to the Head of Paid Service.

- **Part 2 Section B Article 11 Responsibilities of Directors**
Planning and Economic Development to be inserted under the Director of Services responsibilities
- **Part 3 Section B Responsibility for Functions – Council**
To clarify that not all the Council functions listed in the Functions and Responsibilities Regulations are the responsibility of the District Council, insert the words "in so far as the functions are not the responsibility of any other local authority" in the heading at 2.1.
- **Part 3 Section C Responsibility for Functions – Cabinet**
Insert the current list of cabinet portfolios in this section.
- **Part 4 Section A Council Procedure Rules**
To reflect the practise of presentations by external speakers being given at the beginning of ordinary meetings of the Council, renumber the order of business to move presentations from item 7 to item 2 (i.e. after the election of a Chairman should this prove necessary).
- **Part 7 Staff Structure and Scheme of Delegations of Officers**
Update the delegations to replace references to the Head of Sustainable Development with the Head of Planning and Economic Development.
Amend the delegations to the Head of Healthy Communities to include reference to the classification of films under the Licensing Act 2003, following approval of a policy on film classification by the Licensing Committee.

The delegations to the Building Control Manager to include provision for the Principal Building Control Surveyor to act in the absence of the Manager to ensure resilience within the service.

4. Consultation

The Council is not required to consult on proposed updates to its Constitution.

5. Options

The Council could decide not to make the proposed revisions or consider alternative wording.

6. Corporate Implications

Financial – There are no financial implications arising directly from this report.

Legal – As set out in the report

Risks issues – The lack of an up to date and effective Constitution could increase the risk of governance failures

Equalities - None specific

7. Links to Council Policy Objectives

There are no direct links to the policy objectives. But the Council has a statutory duty to maintain an up to date Constitution and publish this on the website.

8. Next Steps

If the changes are agreed the Constitution will be updated and republished on the Council's website.

Background Papers:	None except those referred to in the report
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