

SUBJECT:	Review of the Council's Constitution
REPORT OF:	Monitoring Officer
RESPONSIBLE OFFICER	Jim Burness, Director of Resources
REPORT AUTHOR	Joanna Swift, Head of Legal and Democratic Services and Monitoring Officer
WARD/S AFFECTED	None

1. Purpose of Report

In accordance with the agreed work plan to undertake a detailed review of Part 3 of the Constitution dealing with Roles and Responsibilities and Terms of Reference for Council Committees.

RECOMMENDATION

1. That the Committee consider and agree the proposed revisions to Roles and Responsibilities in Part 3 of the Constitution at Appendix 1.
2. That the Committee consider and agree the proposed revisions to Terms of Reference of Committees in Part 3 of the Constitution at Appendix 2.
3. That the Committee note the revised work programme at Appendix 3.

2. Reasons for Recommendation

To ensure the Council's Constitution is fit for purpose and more user-friendly for members, staff and the public, to introduce harmonised procedures with South Bucks District Council where this will facilitate more effective running of shared services and to ensure the Council meets its statutory duty of publishing an up to date Constitution.

3. Content of Report

- 3.1 This report deals in detail with Part 3 of the Constitution which is appended in full with proposed revisions shown in track changes at Appendices 1 and 2.

Part 3 - Roles and Responsibilities and Terms of Reference for Committees

- 3.2 This part of the Constitution sets out role descriptions for council members and the different responsibilities of the cabinet and full council, details of joint arrangements and the terms of reference for the various committees and cabinet. This reflects the provisions of the Local Government Act 2000 (as amended) and the Functions and Responsibilities Regulations 2000 which specify which functions are carried out by the executive (cabinet) and which are reserved to Full Council.
- 3.3 In 2015 the government consulted on revised Functions and Responsibilities Regulations which updated the 2000 Regulations. However, these draft regulations were overtaken by the General Election in May 2015 and have not been pursued since. Revisions to this part of the

Constitution will therefore continue to refer to the Regulations issued in 2000. The terms of reference for council committees need to be updated following the changes to political management arrangements agreed by Full Council in 2014. This Part of the Constitution currently extends to 112 pages but incorporating the updated terms of reference assists in reducing its length.

- 3.4 The proposed revisions are shown in track changes at Appendix 2 and deal with legislative changes, particularly amendments made by the Localism Act 2011 and with joint projects such as Pathfinder which have since been disbanded.
- 3.5 The current format and paragraph numbering has been retained for ease of comparison but as explained at the last meeting it is intended to review this, including the use of indexing and hyperlinks once the wording itself has been agreed. It is also proposed to include a glossary of terms after the index. This will make the Constitution a lot easier to navigate and access relevant information.

Work Programme

- 3.6 A revised work programme is attached at Appendix 3. This consolidates the review of current procedure rules into one section to be considered at the next meeting as they are inter-related. Following consultation with the Chairman a further meeting of the Committee is being arranged in March.

3 Consultation

It is not considered that the proposed revisions to Part 2 of the Constitution require wider consultation and they are updating changes previously agreed by Full Council and general legislative changes.

4 Options

The Committee can decide whether to agree the proposed revisions as set out in the attached documents and suggest alternatives.

6. Corporate Implications

Financial – There are no financial implications arising directly from this report but the Committee is being invited to review the financial thresholds for making Key Decisions

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

As set out in the revised work programme.

Background Papers:	None except those referred to in the report
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