
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

In accordance with the agreed work plan to undertake a detailed review of Part A - 'The Framework of the Constitution'.

RECOMMENDATION

That the Committee consider and agree the proposed revisions to the Framework of the Constitution at Appendix 1

2. Reasons for Recommendation

To ensure the Council's Constitution is up to date and user-friendly for members, staff and the public and to introduce harmonised procedures with Chiltern District Council where this will facilitate more effective running of shared services.

3. Content of Report

- 3.1 The Committee agreed a work programme for reviewing and updating the Council's Constitution at their meeting in July. This report deals with the Framework of the Constitution. The proposed changes are shown in track changes in the appendix to this report and the main issues explained in more detail below.
- 3.2 The Council's Constitution was last reviewed in 2014/15 and an updated version came into effect in May 2015. This took account of the reduction in the number of members and incorporated shared working arrangements with Chiltern District Council in place at the time. Therefore substantial changes to the Framework are not required. But it has been necessary to incorporate provisions relating to this Committee's new role in respect of Constitution in the paragraphs dealing with changes to the Constitution and the details of standing committees. Members will also note that changes to the Joint Waste arrangements have been incorporated, as well as the new Joint Staffing Committee and Su-Committee, which replaced JAIC.

- 3.3 The Framework has also been updated to reflect new Joint Policy documents including the Joint Economic Development Strategy and the Corporate Enforcement Policy which replaces the Food Service Delivery Plan and Health and Safety Enforcement Plan. Some of the policies listed have been amalgamated, for example under the Housing Strategies and some policies such as the whistle blowing and anti- fraud policy have been omitted as they are more operational in nature and more properly sit a level below the high level Policy Framework.
- 3.4 Some of the more technical provisions on Legal proceedings, authentication of documents and the common seal have been amended and in some case expanded, so the procedure adopted by officers at both Councils is consistent
- 3.5 The Monitoring Officer will explain the other proposed change at the meeting.

4 Consultation

The Committee is asked to consider whether, and if so how, they wish to consult on the proposed revisions with members more widely, either via committees/cabinet or individually.

5 Options

The Committee is being invite to consider and agree the revisions to the Framework document and can suggest further changes if considered appropriate.

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

As set out in the agreed work programme.

Background Papers:	None except those referred to in the report
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