

## **REVISIONS TO THE CONSTITUTION**

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### ***PROPOSED DECISION: That***

- (i) a review of the Constitution be conducted to ensure that it continues to be compliant with current law and to ensure that the document remains clear.
- (ii) the results of the review be reported to a future meeting of the Committee, with any recommendations referred to Full Council for consideration.

#### **Corporate Implications**

This report has been prepared in consultation with the District Solicitor and Head of Finance and Commercial Services to ensure that the proposed amendments support the overall governance of the organisation and do not fall foul of relevant law and guidance.

#### **Executive Summary**

1. This report proposes that a review of the Constitution should be conducted to ensure that it continues to be compliant with current law and to ensure that the document remains clear.

#### **Sustainable Community Strategy/Council Priorities - Implications**

2. The constitution is a governance document which is designed to ensure that the Council's decision making processes are sound and decisions are not vulnerable to challenge.

#### **Background and Issues**

3. The Constitution was last reviewed in 2014 and at that stage a number of changes were made to bring it up to date. It is necessary that the Constitution is reviewed regularly to ensure that it remains current. There are national legislative changes and guidance which change the context in which the Constitution is written. It is also necessary to make amendments to the wording of sections from time to time to ensure the meaning is clear and without ambiguity.
4. The proposal is that the amendments will not change the meaning of the Constitution. Where it is necessary to make changes to the Constitution which do affect the meaning or distribution or allocation of responsibilities these will be specifically highlighted in a separate report and a rationale provided for any changes to explain why they are needed and what improvements they are designed to achieve. In this review there are likely to be some proposals for changes to the procedure rules which fall into this category which are being introduced by the officers with responsibility for

procurement and finance who have identified that the current rules require improvement.

5. The Constitution although a statement of rules for the Council is also designed to be an outward facing document which is a public statement of how the Council operates in order that the aim of transparency is met. It is therefore proposed that some improvements will be designed to improve the accessibility of the document and ease of use.
6. Putting together these changes it is proposed that the Head of Democratic, Legal and Policy Services carry out a review of the Constitution which can be referred to a future meeting of the Regulatory and Appeals Committee before referring any recommendations to Full Council.

### **Consultation**

7. Consultation will take place with officers across the Council. The result will be presented to Regulatory and Appeals Committee for consultation with Members before being referred to Council for consideration and approval.

### **Conclusions**

8. Members are requested to note and endorse the proposed review.

### **Next Steps**

The results of the review to be presented to a future meeting of the Committee, with any recommendations then being made to the Full Council for consideration and approval.

### **Background Papers**

The Council's Constitution