

	<p>Council</p> <p>31 October 2017</p>
<p style="text-align: center;">Title</p>	<p>Report of the Constitution Ethics and Probity Committee – Constitution Review</p>
<p style="text-align: center;">Report of</p>	<p>Monitoring Officer and Chief Legal Advisor Head of Governance</p>
<p style="text-align: center;">Wards</p>	<p>All</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Enclosures</p>	<p>Annex 1 – Report to Special Constitution Ethics and Probity Committee, 19 October 2017 Annex 1A – Decisions of the Special Constitution Ethics and Probity Committee, 19 October 2017 Appendix A – Introduction and Summary to the Constitution Appendix B – Article 1, The Constitution Appendix C – Article 2, Members of the Council Appendix D – Article 3, Residents and Public Participation Appendix E – Article 4, The Full Council Appendix F – Article 5, The Mayor and Chairing the Council Appendix G – Article 6, The Leader Appendix H – Article 7, Committees, Forums, Working Groups and Partnerships Appendix I – Article 8, Joint Arrangements Appendix J – Article 9, Chief Officers Appendix K – Article 10, Decision Making Appendix L – Article 11, Finance, Contracts and Legal Matters Appendix M – Article 12, Review and Revision of the Constitution Appendix N – Full Council Procedure Rules Appendix O – Full Council Procedure Rules (Tracked)</p>
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Summary

The Constitution, Ethics and Probity Committee at a special meeting held on 19 October 2017 considered a report on the Constitution, reviewing various sections. Only Full Council may amend the Constitution and therefore Council are recommended to approve the various recommendations of the Committee that would alter the Constitution.

Recommendations

- 1. That Council approve the recommendations contained in the report from the Constitution Ethics & Probity Committee at Annexe 1A, and the track change versions attached at Appendix A to Appendix O.**
- 2. That the Monitoring Officer and Chief Legal Advisor be authorised to implement these revisions and publish a revised Constitution.**

1. WHY THIS REPORT IS NEEDED

- 1.1 As set out in the report attached at Annex 1.

2. REASONS FOR RECOMMENDATIONS

- 2.1 As set out in the report attached at Annex 1.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Options were put forward to the Committee and the attached report reflects the options chosen (as amended by the Committee) for recommendation to Council following discussion and debate.

4. POST DECISION IMPLEMENTATION

- 4.1 The Monitoring Officer will make arrangements for any changes agreed to be actioned, together with minor drafting and housekeeping changes. The revised Constitution will be published online and for existing hard copies issued to be revised and replaced.
- 4.2 The Constitution, Ethics & Probity Committee will continue to proactively keep the Constitution under review and may make further recommendations in the next municipal year.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As set out in the report attached at Annex 1.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 None.

5.3 Legal and Constitutional References

- 5.3.1 Council Constitution, Responsibility for Functions, Functions of Full Council, Paragraph 1.2: "Only the Council will adopt and change the Constitution, except where otherwise provided in the Constitution or by resolution of the Council".
- 5.3.2 Council Constitution, Responsibilities for Functions – the Constitution, Ethics and Probity Committee terms of reference includes to: "Proactively to review and keep under review all aspects of the Council's Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council".
- 5.3.3 Council Constitution, Chief Officers "The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, staff and the public".
- 5.3.4 Council Constitution, Responsibilities for Functions, Annex A – the Constitution, Ethics and Probity Committee Committee's terms of reference includes "To have responsibility for overseeing the Council's governance arrangements".

5.4 Risk Management

- 5.4.1 As set out in the report attached at Annex 1.

5.5 Equalities and Diversity

5.5.1 As set out in the report attached at Annex 1.

5.6 Consultation and Engagement

5.6.1 As set out in the report attached at Annex 1.

6. BACKGROUND PAPERS

6.1 As set out in the report attached at Annex 1.