

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO POLICY AND FINANCE COMMITTEE

Agenda Item No.10

meeting date: TUESDAY, 5 APRIL 2016
title: AMENDMENTS TO THE COUNCIL'S CONSTITUTION
submitted by: CHIEF EXECUTIVE
principal author: SOLICITOR

1 PURPOSE

1.1 To consider the proposed changes to the Council's constitution.

1.2 Relevance to the Council's ambitions and priorities:

- Council's Ambitions – N/A
- Community Objectives - N/A
- Corporate Priorities – To be a well-managed Council.
- Other considerations – It is important that our constitution is kept up-to-date, to ensure that all legislative requirements are reflected within them.

2 BACKGROUND

2.1 The Local Government Act 2000 provides that every Local Authority is required to prepare and keep up to date a constitution containing:

- A copy of its Standing Orders
- A copy of its Code of Conduct
- Any information directed by the Secretary of State
- Any other information considered appropriate by the Local Authority; and
- Where a Local Authority operates a Committee system the constitution must also contain a statement as to whether it has an Overview and Scrutiny Committee.

2.2 The Council's constitution is very much a living document. It has been divided into parts and these parts are accessible on the Council's website

2.3 The Council's Head of Legal and Democratic Services, in her role as Monitoring Officer, has requested that the Council's Solicitor carry out a review of the Council's Constitution. This is done every year in advance of the annual meeting. Changes to the Constitution are made by approval at the Council but are first considered by Policy and Finance Committee.

3 ISSUES

3.1 The proposed amendments are:

Service Plans

3.1.1 All references to Service Plans within all parts of the constitution have been removed as these are no longer used to set corporate priorities;

Delegations Scheme

3.1.2 The delegation scheme has been amended to include Head of Departments in the decision making process for disciplinary hearings; and

Supporting documents

3.1.3 All the supporting documents have been updated to include the most recent versions as approved by this Committee.

Combined Authority

3.2 Committee should also note that it may be necessary to incorporate changes to the constitution should the Council proceed to join the proposed Lancashire Combined Authority.

4. LEGAL REQUIREMENTS

4.1 Article 11.3 of the Council's Constitution provides that the Council will only approve changes to the Constitution after consideration of the proposal by the Monitoring Officer.

4.2 The Council's Head of Legal and Democratic Services, in her role as Monitoring Officer, considered the proposed changes set out above and supports them.

5. RISK ASSESSMENT

5.1 The approval of this report may have the following implications:

- Resources – Once approved the Council's Solicitor will make any necessary changes and put new documents onto the website.
- Technical, Environment and Legal – The amendments will ensure the Council can deal with legal and technical matters more effectively.
- Political – No implications identified.
- Reputation – No implications identified.
- Equality & Diversity – No implications identified.

6. RECOMMENDED THAT COMMITTEE

6.1 Refer the suggested changes to the Council with a recommendation for their approval.

MAIR HILL
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

For further information please ask for Mair Hill on extension 3216.