

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO COUNCIL

Agenda Item No: 6

meeting date: TUESDAY, 16 OCTOBER 2018
title: REVIEW OF CONSTITUTION FOLLOWING APPOINTMENT OF NEW DIRECTOR
submitted by: MARSHAL SCOTT - CHIEF EXECUTIVE
principal author: OLWEN HEAP – ADMINISTRATION OFFICER

1 PURPOSE

1.1 To review the Council's Constitution to ensure clarity following the appointment of the Director of Economic Development and Planning.

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. The Council's Constitution contains the necessary provisions to allow for matters to be discussed and voted upon in an orderly and proper manner.
- 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 Section 37 of the Local Government Act 2000 provides that every Local Authority is required to prepare and keep up to date a constitution.

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

2.3 The review of the Constitution is needed to include the new Director of Economic Development and Planning in the appropriate places and to amend the functions and areas of responsibility as agreed by CMT.

3 ISSUES

3.1 This Council last approved its Constitution at the Annual meeting on 8 May 2018.

3.2 Following a review, Parts 1, 2 and 3 – The Articles, The Terms of Reference and the Officer Delegation Scheme have been identified as requiring changes.

3.3 These changes mainly consist of the Director of Community Services and/or Chief Executive titles being replaced by the Director of Economic Development and Planning and the Director of Economic Development and Planning being added to corporate lists. The areas of responsibility have also been amended to reflect the revised areas of responsibility of each Director. The amended Constitution can be viewed on the Council's website.

3.4 The Director of Economic Development and Planning submitted a report to the Planning and Development committee on 4 October 2018 of changes to the Scheme

of Delegation of Development Management and Countryside Matters which was approved by the committee. This document also needs formal approval by Council as part of the Constitution.

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, has considered the proposed changes and supports them.

5 RISK ASSESSMENT

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

- Resources – The Council's Solicitor will make any necessary changes and put new documents onto the website.
- Technical, Environment and Legal – The Council's Constitution is an important document that sets out how the Council operates, how decisions are made and the procedures that are followed.
- Political – No implications identified.
- Reputation – No implications identified.
- Equality & Diversity – No implications identified.

6 **RECOMMENDED THAT COMMITTEE**

6.1 Approve the changes as outlined in the report at 3.3 including the Scheme of Delegation of Development Management and Countryside Matters.

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

For further information please ask for Olwen Heap on extension 4408.

REF: OMH/COUNCIL/16September 2018