
Meeting: General Purposes Committee
Date: 29 May 2014
Subject: Constitution Update
Report of: Cllr Maurice Jones, Executive Member for Corporate Resources
Summary: The report provides for the required consultation with the Committee on a number of minor amendments to the Constitution for the Monitoring Officer to carry out to bring the document up to date.

Advising Officer: Melanie Clay, Monitoring Officer
Contact Officer: Mel Peaston, Committee Services Manager
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

The proposed action supports the following priority of Central Bedfordshire Council:

- Value for money.

Financial:

1. There are no financial implications.

Legal:

2. The legal implications are contained within the body of the report.

Risk Management:

3. The purpose of the Constitution is to provide a framework of rules governing the way the Council exercises its functions and takes decisions (Constitution, Part A2, paragraph 1.1). If the Constitution is not up to date, there is a risk that decisions may not be clear and transparent, which could leave the Council open to challenge.

Staffing (including Trades Unions):

4. Not applicable.

Equalities/Human Rights:

5. There are no equalities/human rights implications.

Public Health

6. There are no public health implications.

Community Safety:

7. Not applicable.

Sustainability:

- 8.. Not applicable.

Procurement:

9. Not applicable.

RECOMMENDATION:

The Committee is asked to note that:

following consultation with the Committee, the minor changes to the Constitution as set out in the schedule attached at Appendix A (“Schedule of Proposed Changes to the Constitution May 2014”) will be made.

Introduction

10. The purpose of the Constitution is to provide a framework of rules governing the way in which the Council exercises its functions and takes decisions. It is published on the Council’s website.
11. The Monitoring Officer has a statutory duty under the Local Government and Housing Act 1989 to ensure that the Constitution is maintained.
12. The Constitution, under Part A5 Review and Revision of the Constitution paragraph 2.3, provides that the Monitoring Officer, after consultation with the General Purposes Committee, shall make any urgent amendments to give effect to any decision of the Council or changes in the law, and minor amendments such as to correct errors or to ensure that the Constitution is up to date.

Proposed updating of the Constitution

13. A number of changes should be made to the Constitution to reflect recent changes in the internal structure of the Council and therefore the allocation of certain delegated responsibilities; to provide greater clarity on certain matters; and to reflect changes in the law. There are additionally some typographical errors which should be corrected.
14. The proposed changes are set out in Appendix A, “Schedule of Proposed Changes to the Constitution May 2014”, and the reason for each proposed change is described briefly.

15. All the proposed changes are of a nature which fall within the criteria described in the Constitution, set out in paragraph 12 above.

Conclusion and Next Steps

16. The Committee is asked to consider the proposed changes set out in Appendix A which will be made by the Monitoring Officer without any need to consult Council first.

Appendices:

Appendix A – Schedule of Proposed Changes May 2014

Background Papers: (open to public inspection)

None