

Central Bedfordshire Council

GENERAL PURPOSES COMMITTEE

22 June 2017

Report on the Arrangements for Reordering and Indexing the Constitution

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Purpose of this report

1. To provide the Committee with an update on the final re-ordered and indexed Constitution (“the new Constitution”).

RECOMMENDATIONS

The Committee is asked to:

1. Note the new Constitution.

Overview and Scrutiny Comments/Recommendations

1. This Report sets out an update for reordering and indexing the Constitution which comes within the remit of the General Purposes Committee and Council.

Introduction

2. The requirement for Local Authorities to have a Constitution was originally detailed in s.37 of the Local Government Act 2000. The Secretary of State also prescribed a number of matters which were required to be included in the Constitution.
3. The requirement for a Constitution is now in s.9P of the Local Government Act 2000 and the Regulations which prescribed the further matters to be included in the Constitution have been repealed. The inclusion of those matters within a constitution does however continue to be best practice.
4. To assist Local Authorities the Secretary of State produced a template modular constitution which took into account the legislative requirements for the contents of a constitution.

5. Central Bedfordshire Council did not adopt the template modular constitution however on 30 June 2016 this Committee considered the re-ordering of the Constitution and resolved to recommend to full Council that the Constitution be re-ordered.
6. Following that recommendation on 21 July 2016 full Council approved the re-ordering and formatting of the Council's Constitution into the template modular form and resolved that the Monitoring Officer was authorised to implement the changes and take any steps consequential, incidental or necessary to bring them into effect.
7. On 30 March 2017 progress of the re-ordering of the Constitution was reported to this Committee showing the different layouts and enabling a comparison between the current Constitution and the draft constitution to take place. It was reported that whilst there were no changes to content, minor amendments including summaries or indexes would need to be added.
8. The format changes and any such minor ancillary amendments have now been finalised and the new Constitution is available on the following page:

<http://centralbeds.moderngov.co.uk/ieListDocuments.aspx?CIId=617&MIId=5500&Ver=4>

9. It was previously reported that the new Constitution was to consist of 6 Parts: Part 2 contains the Articles which set the framework or architecture of the Constitution. Decision making is contained in Part 3. The detailed standing orders or rules and procedures are then set out in Part 4. Part 5 is Codes of Conduct. This remains the same.
10. For ease the index for the current Constitution is attached as Appendix A, the new Constitution index is attached as Appendix B and a destination table is also attached as Appendix C.

Council Priorities

11. The effectiveness of the Council's governance arrangements contributes to the achievement of all the Council's priorities. Having a more readily accessible Constitution will assist with this.

Corporate Implications

Risk Management

12. There are no specific risk issues arising from this report.

Staffing (including Trades Unions)

13. There are no specific staffing issues arising from this report,

Legal Implications

14. None except as detailed in the report.

Financial Implications

15. This report raises no specific financial implications at this time.

Equalities Implications

16. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. A more accessible Constitution will assist with access by the public in general.

Conclusion and next Steps

17. Promotion and awareness of the new Constitution will need to take place prior to it becoming effective.

Appendices

The following Appendices are attached:

Appendix A – Index for the current Constitution

Appendix B – Index for the new Constitution

Appendix C – Destination Table