

**Title of meeting:** Governance and Audit and Standards Committee

**Date of meeting:** 9 March 2018

**Subject:** Proposed amendments to the Council's constitution  
Part 2, Decision Making

**Report by:** City Solicitor

**Wards affected:** N/A

**Key decision:** No

**Full Council decision:** Yes

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**1. Purpose of report**

To consider the attached revised Part 2 Decision Making and its adoption as part of the Council's constitution.

**2. Recommendations**

Members are asked to

1. Approve the proposed amendments to Part 2 Decision Making of the Council's constitution at Appendix 1 to this report and recommend adoption by Full Council on 20 March 2018, subject to paragraph 2.4 below.
2. Agree that the City Solicitor may make amendments to the scheme of delegation which reflect changes in legislation, structure within the Council or typographical amendments, none of which would result in changes in extent of delegations to officers.
3. Agree that the City Solicitor may make amendments to the constitution to reflect any changes arising out of legislative changes, deal with typographical alterations or amend the layout of the document, none of which would change the material substance of constitution.
4. Note the amendments to Part 2 Section 3 Responsibility for Cabinet Functions as these responsibilities are within the gift of the Leader.

**3. Background**

The Constitution Working Group, being comprised of cross party membership of Governance and Audit and Standards Committee have agreed amendments to Part 2 Decision Making of the constitution. The proposed amendments are now brought before Governance and Audit and Standards Committee for consideration and approval.

#### **4. Reasons for recommendations**

- 4.1. The Council's constitution is a working document and is reviewed to ensure it is up to date in terms of legislation and to maintain best practice in efficient and accountable decision making, scrutiny and ethical standards.
- 4.2. The Council's constitution includes a range of codes, rules and protocols that together with the Standing Orders form part of the Authority's ethical and decision making framework.
- 4.3. During the past year, the Constitutional Working Group have reviewed Part 2 Decision Making of the constitution and suggested a number of amendments, together with officer proposals.
- 4.4. The Governance and Audit and Standards Committee has responsibility for advising the Council on the Constitution, codes, rules and protocols that form the Authority's ethical framework.
- 4.5. To assist in ensuring that the scheme of delegation is kept up to date, it is proposed that the City Solicitor is given authority to make amendments to the scheme which reflect changes in legislation, structure within the Council or typographical amendments, none of which would result in changes in extent of delegations to officers.
- 4.6. Further it is proposed that the City Solicitor is also given similar authority to amend all aspect of Constitution to reflect any changes arising out of legislative changes or deal with typographical alterations. None of which would be intended to change the material substance of constitution.

#### **5. Equality impact assessment**

The contents of this report do not have any effect on the protected characteristics and therefore an equalities assessment is not required.

#### **6. Legal implications**

- 6.1. As this involves a change in the Council's constitution, the changes must be referred to the Governance and Audit and Standards Committee for recommendation for approval by the Council.
- 6.2. The Committee has authority by virtue of the Council's constitution under Part 1 Article 15 to make recommendations to Council for amendments to the constitution.

#### **7. Director of Finance's comments**

There are no financial implications arising from the recommendations set out in this report.

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Signed by:

## Appendices

Appendix 1: Part 2 Decision making of the Constitution - track change copy

### Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Signed by: