

# Gloucester City Council

<b>Meeting:</b>	<b>Council</b>	<b>Date:</b>	<b>9 June 2014</b>
<b>Subject:</b>	<b>Adoption of the Constitution</b>		
<b>Report Of:</b>	<b>Monitoring Officer</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Sue Mullins, Monitoring Officer</b>		
	<b>Email: sue.mullins@gloucester.gov.uk</b>	<b>Tel: 39-6110</b>	
<b>Appendices:</b>	<b>1 - Constitution 2014 - 15</b>		

## 1.0 Purpose of Report

- 1.1 To approve changes to and adopt the Council's Constitution for the municipal year 2014 - 2015.

## 2.1 Recommendations

- 2.1 Council is asked to **RESOLVE** that, subject to

- (a) changes made by the Monitoring Officer under their delegated powers to reflect the change to the Head of Paid Service role and functions; and
- (b) to the proposed changes to the Audit and Governance Committee Frequency of meetings and Terms of Reference and Council Procedure Rules shown at Appendix 1;

the Constitution approved by Council at its meeting on 27 March 2014 be adopted for the municipal year 2014 - 2015.

## 3.0 Background and Key Issues

- 3.1 The Constitution sets out how the City Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.
- 3.2 The Council's Constitution was extensively reviewed in 2009 and amendments to that Constitution have been approved annually since then.
- 3.3 At its meeting on 27 March 2014, the Council approved a revised Constitution, including recommendations from the Constitutional and Electoral Working Group. However, following a decision by Organisational Development Committee on 24 March 2014 to share Head of Paid Service responsibilities between the Council's two Corporate Directors, further changes to the Constitution have been required to

implement this decision. The required changes have been made by the Monitoring Officer under their delegated powers.

3.4 Changes to the Frequency of meetings and Terms of reference for Audit and Governance Committee are also recommended by both the Audit and Governance Committee and the Constitutional and Electoral Working Group. These are shown in Appendix 1.

3.5 A minor change to Rule 2.02 of the Council Procedure Rules is also proposed by the Monitoring Officer, to allow Chairs of all the Council's Committees to address Council.

#### **4.0 Alternative Options Considered**

4.1 There are no alternative options relevant to this matter.

#### **5.0 Reasons for Recommendations**

5.1 The Council Procedure Rules require the Scheme of Delegation, forming part of the Constitution, to be approved at the Annual Meeting.

#### **6.0 Future Work and Conclusions**

6.1 The approved Constitution for 2014-15 will be published online and made available to all Councillors, members of the public and staff as soon as practicable following its adoption by the Council.

6.2 The current arrangements for discharge of Head of Paid Service responsibilities are due to be reviewed in autumn 2014. Further amendments to the Constitution may be required to reflect the decision made regarding the Head of Paid Service role although it is likely that any such amendments are within the scope of the Monitoring Officer's delegated powers.

6.3 Legislation requires the Council to keep its Constitution up-to-date and it is good practice to carry out an annual review of the Constitution. This will allow the Council to ensure that the Constitution continues to meet the needs of the Council.

#### **7.0 Financial Implications**

7.1 There are no financial implications arising from this report.

(Financial Services have not been consulted in the preparation this report.)

#### **8.0 Legal Implications**

8.1 Section 37 of the Local Government Act 2000 requires the Council to have and keep up-to-date a Constitution, setting out various matters prescribed by the

Secretary of State, the Council's Standing Orders, Code of Conduct and any other matters the Council considers appropriate.

(Legal Services have been consulted in the preparation this report.)

## **9.0 Risk & Opportunity Management Implications**

9.1 Regular consideration of the Council's Constitution enables the Council to ensure that its governance arrangements are appropriate and up-to-date.

## **10.0 People Impact Assessment (PIA):**

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

## **11.0 Other Corporate Implications**

### Community Safety

11.1 There are no community safety implications.

### Sustainability

11.2 There are no sustainability implications.

### Staffing & Trade Union

11.3 There are no staffing implications.

**Background Documents:** None.