

Gloucester City Council

Meeting:	General Purposes Committee Council	Date:	12 January 2021 28 January 2021
Subject:	Constitutional Changes		
Report Of:	Head of Paid Service		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
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Appendices:	1. Revised Part 3B – Council Functions		
	2a. Schedule of Amendments to the Planning and Development Code of Practice		
	2b. Existing Planning and Development Code of Practice		
	2c. Revised Planning and Development Code of Practice		
	3. Revised Probity in Licensing and Enforcement – Code of Practice		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To propose changes to the Council's Constitution to reflect a change to the functions of full Council and reviews in relation to the Codes of Practice relating to Planning and Licensing.

2.0 Recommendations

- 2.1 General Purposes Committee is asked to consider the information contained in the report and make **RECOMMENDATIONS** to Council on the proposed changes to the Constitution.
- 2.2 Council is asked to **RESOLVE** that, having considered the recommendations of the General Purposes Committee, the proposed changes to the Constitution be adopted and a list of all Trusts held by the Council be appended to the Constitution.
- 2.3 Council is asked to further **RESOLVE** to authorise the Head of Paid Service to amend the list of Trusts, to add, delete or amend the list as required from time to time to maintain its accuracy.

3.0 Background and Key Issues

- 3.1 Attached at the appendices are the following:

- 3.2.1 Revised Part 3B – Council Functions

3.2.2 Revised Planning and Development Code of Practice (Schedule of Amendments, current version and revised version)

3.2.3 Probity in Licensing and Enforcement – Code of Practice

3.2 An addition to Council Functions is proposed to in order to provide clarity for how the council exercises its functions as Trustee in respect of all Trusts that it holds. This requirement has been highlighted by recent matters relating to Saintbridge Trust. More detailed arrangements and procedures for exercising the function of trusteeship will be set out in the governing instruments which are being developed and which will be a separate document.

3.3 It is good practice to periodically review all parts of the council's Constitution and while the Codes of Practice continue to be fit for the purpose of supporting the council's regulatory processes, this review has enabled references to legislation to be updated, and provided an opportunity to simplify both documents with the aim of increasing clarity for all parties to these regulatory processes.

3.4 The General Purposes Committee considered the report on 12 January and resolved to recommend that Council approve the amendment to Council Functions and adopt the revised Probity in Licensing and Enforcement – Code of Practice. Due to the volume of amendments and format of the revised Planning and Development Code of Practice, the Committee asked officers to provide alternative versions and for time to review these after the meeting. As no comments were received, the Committee is also recommending that Council adopts the revised Planning and Development Code of Practice.

4.0 Social Value Considerations

4.1 Not applicable

5.0 Environmental Implications

5.1 Not applicable

6.0 Alternative Options Considered

6.1 Not applicable

7.0 Reasons for Recommendations

7.1 To keep the Constitution under periodic review as required by Article 14.01 of the Council's Constitution.

8.0 Future Work and Conclusions

8.1 Further reviews and proposed revisions will be made in the future to reflect the fact that the Constitution is an evolving document.

9.0 Financial Implications

9.1 None arising from the content of this report

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

10.0 Legal Implications

10.1 None arising from the content of this report

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

11.0 Risk & Opportunity Management Implications

11.1 Not applicable

12.0 People Impact Assessment (PIA) and Safeguarding:

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

13.0 Community Safety Implications

13.1 Not applicable

14.0 Staffing & Trade Union Implications

14.1 Not applicable

Background Documents: None