



1. PURPOSE OF REPORT

- 1.1 To recommend updates to the Constitution in line with changing legislation, for purposes of clarification, and on some procedural matters.

2. RECOMMENDATION

- 2.1 Council approves the changes to the Constitution contained within this report.

3. BACKGROUND TO THE REPORT

- 3.1 The Constitution is updated regularly to reflect changes in legislation, and on an annual basis a full review is undertaken to ensure consistency throughout and to provide the opportunity to give consideration to all parts of the Constitution and their continuing relevance. If the review shows that changes are required, these changes are recommended to Council.

- 3.2 Some amendments to the Constitution contained within the annual review have been agreed as part of other reports to Council throughout the year and are included here for completeness and are not for adoption. In this review, these include delegations and changes to processes under new regulations, the Scheme of Allowances and the Code of Conduct.

- 3.3 General typographical amendments or corrections to numbering have been made throughout the document as necessary. More substantive proposed amendments are detailed on the appended schedule.

4. FINANCIAL IMPLICATIONS (IB)

- 4.1 None.

5. LEGAL IMPLICATIONS (JB)

- 5.1 The legal implications are contained in the appendix to the report.

6. CORPORATE PLAN IMPLICATIONS

- 6.1 The recommendations contained within this report support all corporate visions, aims and objectives in ensuring effective operation, decision making and compliance with legislation to enable provision of services across the borough.

7. CONSULTATION

- 7.1 Those members and officers affected by the changes have been consulted.

8. RISK IMPLICATIONS

- 8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

- 8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.
- 8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Failure to maintain an up to date constitution resulting in possible breaches of legislation	Undertaken annual reviews and ensure relevant officers input into the reviews and members are aware of changes	Monitoring Officer
Lack of awareness of provisions of the Constitution and decision making processes	Ensure members and officers are aware of the provisions and receive unified advice	Monitoring Officer/ Democratic Services Officer

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 9.1 The recommendations contained within this report will not affect any particular group or community. The maintenance of the Constitution and provisions therein aim to support all who live, work, visit or are educated within the borough and to regulate decision making and ensure powers are in place to provide services appropriate for and accessible to all.

10. CORPORATE IMPLICATIONS

- 10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

Background papers: None

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