

Report of the Monitoring Officer

Updating the Constitution – Progress report

Summary

- 1 This report confirms progress in respect of reviewing the Constitution. The review is on track to be completed during the current Municipal year.

Progress report

- 2 The revised Constitution is intended to have a different style from the existing version. It is hoped that it will be easier to read and easier to follow for those who do not have an intimate knowledge of its detail. The summary and explanation section which Members have already approved provides a user friendly overview of the Constitution. The detail is naturally more complex but the intention is that the style adopted will be more user friendly.
- 3 In particular it is intended to reduce, in so far as it is practical to do so, the cross referencing between different sections of the Constitution which is currently required. For example the revised Council procedure rules presented with another report on the agenda for this meeting include provisions relating to the role of Full Council which are currently contained in the Part 2 of the Constitution whereas the rules for the meeting are in Part 4.
- 4 The annex to this report sets out the contents of the current constitution and identifies progress with regards to review. A substantial amount of revision has already been completed. The outstanding tasks are:
 - Completing a review of the contract procedure rules – these have been entirely rewritten and relevant officers

who use these rules on a regular basis are now making comments and suggestions

- Reviewing the scrutiny procedure rules – a special Audit and Governance Committee has been arranged for the 2nd of October to which the Chair of the Corporate and Scrutiny Management Committee has been invited. It is anticipated that any proposals for change to the current scrutiny arrangements will be made at that meeting
- Updating the access to information procedure provisions – a report in respect of this matter will be brought to the next ordinary Audit and Governance Committee meeting.
- Reordering the contents of the Constitution and making stylistic improvements. This is the final task. Much of the content needs no change and can be lifted from the current Constitution. Some sections will need minor revision as disparate parts of the Constitution are brought together and the opportunity is taken to make the document less difficult to read.

Council Plan

- 5 The Constitution is an essential element of the council's corporate governance framework. As such it has an important role in maintaining the Council as an effective organisation.

Implications

- 6 Section 37 of the Local Government Act 2000 sets out an obligation to prepare and keep up to date the Council's constitution. There are no implications to this report in relation to:
 - **Finance**
 - **Human Resources (HR)**
 - **Equalities**
 - **Crime and Disorder**
 - **Information Technology (IT)**
 - **Property**

Consultation

- 7 The Audit and Governance Committee is being consulted on the contents of this report.

Recommendations

- 8 Members are asked to note this report.

Reason

To monitor progress on the refresh of the Constitution

Contact Details

Author and Chief Officer responsible for the report:

Andy Docherty
Assistant Director
Telephone: 01904 551004

Report Approved

Date 15 September 2014

Specialist Implications Officers

Not applicable

Wards Affected: Not applicable

All

For further information please contact the author of the report

Background Papers

None

Annexes

Annex A - Progress report and task list