

Report of the Head of Civic, Democratic & Legal Services

## **AMENDMENTS TO THE COUNCIL'S CONSTITUTION**

### **Summary**

1. The Executive is asked to note amendments made to the Constitution by the Council's Monitoring Officer pursuant to the provisions of Article 16 of the Constitution.

### **Background**

2. On the 25 January 2007 Council endorsed a recommendation from the Executive to amend Article 16 of the Council's Constitution to enable the Head of Civic, Democratic and Legal Services, in consultation with the Chief Executive, to make amendments to the Constitution without approval of Full Council where such amendments were minor drafting or other amendments in consultation with Group Leaders.
3. The Executive further recommended to Full Council that any changes made to the Constitution be reported to the Executive, circulated to all Council Members and incorporated in an up-to-date version of the Constitution, which should be accessible via the Council's Website. This recommendation was also endorsed by Full Council on 25 January 2007.
4. Since this resolution the Head of Civic, Democratic and Legal Services has, in accordance with the constitutional requirements kept the Constitution under review and a number of minor drafting amendments have been made. In addition, following the election, the Group Leaders agreed amendments to the Constitution to reflect the new political arrangements. These amendments were contained in the report to the Executive on the 12 June 2007 'Future Political Management Arrangements at the City of York Council'. At the meeting on the 12 June 2007 the Executive resolved that the Head of Civic, Democratic and Legal Services be instructed to exercise her delegated authority to implement those changes to the Constitution set out in paragraph 1 of Annex 1 of the Agreement, which command the unanimous support of all party groups.
5. The attached schedule (Annex 1) sets out the amendments to the Constitution resulting in the circumstances described in paragraphs 3 and 4. The amended pages of the Constitution will be circulated to all political groups and the

electronic version of the Constitution will also be updated in accordance with the resolution of Full Council on 25 January 2007.

## **Consultation**

6. The amendments undertaken by the Head of Civic, Democratic and Legal Services and detailed in this report have been done in consultation with the Chief Executive and to implement agreement of the Group Leaders.

## **Options**

7. This report is for information. There are no options for consideration.

## **Analysis**

8. Not applicable. This report is for information only.

## **Corporate Priorities**

9. The effectiveness of the constitutional arrangements assists in improving the decision-making process of the Council and contributes towards the priority of improving leadership at all levels to provide clear, consistent direction to the organisation.

## **Implications**

10. There are no Financial, Human Resources, Equalities, Crime and Disorder, Property or other implications.

- **Legal**

The proposed amendments are to ensure that the Constitution is accurate and effective and improves the corporate governance arrangements of the organisation.

- **Information Technology (IT)**

The electronic version of the Constitution must be amended to ensure it is up-to-date and accurate.

## **Risk Management**

11. The accuracy and effectiveness of the Constitution is important to ensure that governance arrangements remain legally sound and reduce the risk of challenge for maladministration.

## Recommendations

12. That the Executive note the amendments implemented to the Constitution.

Reason: To ensure the Constitution is effectively revised and monitored and that appropriate corporate governance arrangements are in place.

## Contact Details

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Report Approved

Date 17 August 2007

**Specialist Implications Officer(s)** None

**Wards Affected:**

All

For further information please contact the author of the report

**Background Papers:** None

## Annexes

**Annex 1** - Schedule setting out the amendments to the Constitution resulting in the circumstances described in paragraphs 3 and 4.