

Council

30 March 2017

Report of the Monitoring Officer

Constitution Updates

Summary

1. This report advises Members of changes to the Constitution consequent upon the decisions taken by the Executive.

Shareholder Committee

2. The Executive has approved the creation of a Shareholder Committee. That is a Committee of the Executive although provision has been made for attendance at its meetings of members of opposition groups and an independent Councillor.
3. The creation of the Committee needs to be reflected in the Constitution. It is therefore proposed to add a section 3BA to the Constitution as set out in the annex to this report which reflects the terms of reference and delegated powers granted by the Executive to that Committee.

Delegated powers in respect of Academy conversions

4. The Executive has also agreed to:
 - a) give delegated powers to the Corporate Director, Children, Education and Communities and the Assistant Director Legal and Governance in consultation with the Executive Member for Education, Children and Young People, to negotiate and conclude the Commercial Transfer Agreements and Land Leases in future academy conversions where there are no proposals to change the designation of land currently used for educational purposes.
 - b) delegate the Private Finance Initiative (PFI) academy conversion process to Officers, in consultation with the

Executive Member for Education, Children and Young People

5. As these delegated powers are to take effect on a continuing basis they need to be incorporated within the Officer delegation scheme set out in section 3D of the Constitution.

Council Plan

6. The Constitution is the Council's key governance document and therefore supports the delivery of all the Council's priorities.

Implications

7. **Legal**

The Council is legally obliged to prepare and keep its constitution up to date.

8. **Risk Management**

There are no specific risks arising from this report.

Recommendations

9. Members are asked to:
 - a) Formally confirm the constitutional changes set out in this report.

Reason: To ensure the Constitution is updated following decisions taken by the Executive.

Contact Details

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**Report
Approved**

Date 21st March 2017

Specialist Implications Officers

Not applicable

Wards Affected:

All

For further information please contact the author of the report

Background Papers

None

Annexes

Annex 1 - Proposed Section 3BA to the Constitution