

## **Updating the Constitution**

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### **Summary**

- 1 This report seeks Members' views on proposed changes to the "Summary and explanation" section of the Constitution.

### **Background**

- 2 The Council is required by law to produce a Constitution. The Council's current Constitution follows a national model produced to coincide with the implementation of the Local Government Act 2000. That original national model required modification to suit local circumstances. York's Constitution has been regularly updated since its initial adoption to reflect changes in working arrangements and the law.
- 3 A full review of the Constitution is now underway. That is a considerable undertaking but supported by the fact that new Model Constitutions have been prepared on behalf of Lawyers in Local Government. Every effort will be made to make the new Constitution as user friendly as possible but the Constitution will inevitably be a lengthy document and, as it may well be considered in court proceedings, accuracy cannot be sacrificed for simplicity.
- 4 The first section of the Constitution to be redrafted has been the opening section – the summary and explanation. The revised draft contains substantially more information than the current version and is intended to give a good and accessible overview of the Council's governance arrangements while not attempting to tackle every nuance. The revised draft is annexed to this report for Members' comments. In due course the intention is that there would be hyperlinks between

information contained in this section and the detail contained in the Constitution and elsewhere.

- 5 As a stand alone section of the Constitution Members could recommend to Council that this version replace the existing version even prior to the full review of the Constitution being completed.

### **Consultation**

- 6 This report is coming to this Committee for initial consultation.

### **Options**

- 7 The Committee may express support for the current draft or suggest amendments or additions.

### **Analysis**

- 8 Not relevant for the purpose of the report.

### **Corporate Priorities**

- 9 This report contributes to the corporate objective of making the Council an effective organisation.

### **Implications**

- 10 **Legal** – the Council is required to have a Constitution under section 37 of the Local Government Act 2000.

### **Recommendation**

- 11 Members are asked to:
  - (a) Comment on the annexed draft “Summary and explanation” section of the Constitution
  - (b) Consider recommending to Council that the draft replace section one of the current Constitution forthwith

### Reason

*To ensure that the Council’s governance arrangements are set out in an easily understood form in its Constitution*

## Contact Details

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**Report  
Approved**



**Date** 27/01/14

**Wards Affected:** Not applicable

**All**



**For further information please contact the author of the report**

### **Background Papers**

None

### **Annexes**

Draft Summary and Explanation