

Constitution Committee

Date of Meeting: 06 April 2021

Report Title: Constitutional Update to Implement the Committee System

Senior Officer: David Brown, Director of Governance and Compliance

1. Report Summary

1.1. This report seeks to make provision to recommend to Council the necessary changes to implement the decision of Council made 19 November 2020 to move towards the committee system of governance.

1.2. The Committee is asked to recommend the report in appendix A to council. The attached draft report to council sets out the constitution in 4 segments.

PART 1

- Index
- Chapter 1 Summary/Explanation

PART 2

- Chapter 2: Responsibility for Functions. Inc:
- Committee structure chart
- Committee terms of reference
- Officer structures/Delegations

PART 3

- Chapter 3 Procedure Rules
- Council Procedure Rules
- Committee Procedure Rules
- Finance Procedure Rules
- Contract Procedure Rules

PART 4

- Chapter 4, Codes & Protocols
- Chapter 5 Allowances
- Chapter 6 Glossary
- Chapter 7 List of removed documents

2. Recommendations

2.1. That committee:

- 2.1.1. Recommend the report at appendix A to council.

3. Background

- 3.1. At its Annual Council meeting on 22nd May 2019, Council stated its commitment to implementing a change in its decision-making governance arrangements to a committee system of governance. On 19th November 2020, (the November 2020 report). Council resolved to cease operating the existing Leader and Cabinet model of governance, and to implement a committee system of governance at the Annual Council meeting in 2021.
- 3.2. To permit the Council to continue to function the Constitution or 'rule book' of the Council must be updated to reflect the changes in style of governance. The attached report represents the first phase of the updating to the constitution that will be eventually required.
- 3.3. The constitution is broadly set through a mixture of traditional attributes which gives a degree of continuity and certainty, the relevant guidance, model constitution, and the application of legislative provisions.
- 3.4. The attached report recognises both the legislative framework and the need to be adaptable as the Council moves forward. A rigid or prescriptive approach would frustrate the business of the Council and ambiguity or uncertainty would impede progress. The attached report is not a counsel of perfection but a working document which members must work with over the coming months to better inform the inevitable revision that will be required in November 2021 and next year. The associated transitional report highlights some of the additional areas of work that will be required.

4. Implications

4.1. Legal Implications

- 4.1.1. There are no direct implications for this report but there will be significant implications if the recommendation is accepted at full council

4.2. Finance Implications

4.2.1. There are no direct implications for this report but there will be significant implication if the recommendation is accepted at full council

4.3. Equality Implications

4.3.1. There are no direct implications for equalities.

4.4. Human Resources Implications

4.4.1. There are no direct implications for human resources

4.5. Risk Management Implications

4.5.1. This paper and the proposed changes to the constitution form part to f the risk management strategy in relation to the change in the system of governance.

4.6. Rural Communities Implications

4.6.1. There are no direct implications for rural communities.

4.7. Implications for Children & Young People

4.7.1. There are no direct implications for children and young people.

4.8. Public Health Implications

4.8.1. There are no direct implications for public health.

5. Ward Members Affected

5.1. All

6. Consultation & Engagement

6.1. A recommendation from the constitution committee.

7. Access to Information

7.1. Additional, supporting information is available to member on the committee system share point site.

8. Appendices

8.1 Appendix A-Report to Council.

9. Contact Information

9.1 Any questions relating to this report should be directed to the following officer:

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