

report



meeting **COUNTY COUNCIL**

date 18th May 2006

agenda item number

REPORT OF THE MONITORING OFFICER

Amendments to the Constitution

1. Purpose of the report

To seek approval to amendments to the Constitution required as a consequence of the Leader's report on the political structure of the County Council and the recommendations of the Independent Remuneration Panel

2. Changes proposed

- 2.1.** Set out at **Appendix A** are the changes required to the constitution to give effect to the proposals in the Leader's report on the political structure of the County Council.
- 2.2.** Set out at **Appendix B** are the changes required to the Constitution to give effect to the recommendations in the Leaders report and the recommendations of the Independent Remuneration Panel.
- 2.3.** Further changes will be required to the Constitution as and when the proposed new departmental structures take effect.
- 2.4.** Because certain interim measures may be required authority is sought for the Monitoring Officer to make such further changes as may be required to give effect to be new political structures of the County Council and/or the departmental structures which were reported to Council meeting on the 19th of January 2006. Any such changes will be the subject of a report by the Monitoring Officer to the next available Council meeting
- 2.5.** The proposals to change the Constitution to permit the Leader to appoint members of the Cabinet fall within the description of arrangements for a Leader and Cabinet executive arrangement which was the subject of

public consultation in accordance with the Local Government Act 2000. Details of this consultation and the recommendations arising from it were reported to Council meeting on 21 June 2001. Therefore on that basis no further consultation is required to give effect to these changes.

2.6. Included in the amendments at Appendix A are a number of clarifying changes for example the increase in the number of councilors, date of next election and revisions to the policy framework to be approved by council meeting (see Article 4 and the committee structures of the council (See Article 8)

2.7. Copies of the amendments to the Constitution will be made to the County Council's public website and intranet versions of the Constitution immediately following this meeting and paper copies will be made available to Members immediately following this meeting.

3. RECOMMENDATIONS

It is recommended:

3.1 That the County Council approves the amendments to the Constitution as set out at **Appendix A** and **Appendix B** and delegates authority to the Monitoring Officer to make any further changes as may in her opinion be properly and reasonably required to give effect to the new political and officer structures necessary to ensure the lawful operation of the County Council's business and the proper maintenance of the Constitution.

Legal Services Comments

Council meeting has the constitutional delegation to approve the recommendations in this report [EB 08.05.06]

Director of Resources Comments

The financial effects of the proposals will be met from existing budget provisions. The detailed effects of the recommendations of the Independent Remuneration Panel are set out in a separate report to this meeting."(PH 09/05/06)

Background Papers

Nil.

Electoral Divisions Affected

All