

COUNCIL – 26TH APRIL 2021

Report of the Cabinet

ITEM 6.2 ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION

Purpose of Report

To consider proposed amendments to the Constitution following the annual review.

Recommendation

That the changes to the Constitution set out in Appendix 1 to the report of the Monitoring Officer (attached as an Annex) be made, to be effective from 1st May 2021.

Reason

To ensure the Constitution is kept up to date and fulfils its intended purposes.

Policy Justification and Previous Decisions

Section 2.4 of the Constitution requires the Monitoring Officer to monitor and review the Constitution. These reviews are undertaken annually with the last such review being considered by the Cabinet on 12th March 2020 (Item 13, Minute 96 refers) and Council on 7th September 2020 (Item 6.2, minute 23 refers).

At its meeting on 8th April 2021, the Cabinet considered a report of the Monitoring Officer, proposing amendments to the Constitution following this year's annual review, for recommendation to Council. That report is attached as an Annex.

An extract from the Cabinet minutes which details the Cabinet's consideration of the matter is set out below.

"108. REVIEW OF CONSTITUTION

Considered, a report of the Monitoring Officer setting out proposed amendments to the Council's Constitution following the annual review, for recommendation to Council (item 7 on the agenda filed with these minutes).

The Democratic Services Manager assisted with consideration of the report. In response to questions, she confirmed that:

- (i) terms or wording taken from the national model constitution written in 2000 upon which the Council's Constitution was based but which were not suited/appropriate to Charnwood would be looked at as part of next year's review;*
- (ii) reference agenda page 44, paragraph 33, delegation to Head of Service in respect of complaints regarding high hedges. Exceptions there listed would instead be determined by Plans Committee. A note would be included to make that clear as part of next year's review.*

RESOLVED that it **be recommended to Council** that the changes to the Constitution set out in Appendix 1 to the report of the Monitoring Officer be made, to be effective from 1st May 2021.

Reason

To ensure the Constitution is kept up to date and fulfils its intended purposes.”

Implementation Timetable including Future Decisions and Scrutiny

The approved changes to the Constitution will take effect on 1st May 2021 as set out in the recommendation. The Monitoring Officer will publish an updated version of the Constitution incorporating the approved changes.

A small number of changes to the delegation of Executive functions to officers were identified in the course of this year’s review. These were the subject of a separate report to the Leader, who has the authority to make changes to the delegation of Executive functions. A report setting out those changes appears elsewhere on this agenda.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no costs associated with making the recommended changes to the Constitution.

Risk Management

No specific risks have been identified in connection with this report.

Key Decision: No

Background Papers: None

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