

CITY OF PLYMOUTH

Subject: Revised Constitution
Committee: Council
Date: 25 July 2011
Cabinet Member:
CMT Member: Monitoring Officer
Author: Timothy Howes, Assistant Director Democracy and Governance
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Ref: Review of the Constitution
Key Decision: No
Part: I

Executive Summary:

The Council is asked to defer consideration of a new constitution to allow the time for more detailed consideration by a working group of Councillors. The outcome of that working group will then form part of the recommendations to council in due course.

Corporate Plan 2011 – 2014

There are no direct implications in relation to the corporate plan. However it is vital to ensure that lawful and effective governance arrangements are in place to deliver the corporate plan.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

There are no direct implications in relation to the Medium Term Financial Plan and Resources.

Other Implications: e.g. Section 17 Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.

A local authority which is operating executive arrangements must prepare and keep up to date a document (referred to as a constitution) which contains—

- (a) Such information as the Secretary of State may direct,
- (b) A copy of the authority's standing orders for the time being,
- (c) A copy of the authority's code of conduct, and
- (d) Such other information (if any) as the authority consider appropriate.

Recommendations & Reasons for recommended action:

It is recommended that the Council set up a working group of 5 councillors with 3 from the Conservative Group and 2 from the Labour Group to work with the Monitoring Officer on the further development of the Constitution.

The reason for the recommendation is to allow a more detailed discussion and scrutiny of the draft constitution to fully ensure that it meets the needs of Members.

Alternative options considered and reasons for recommended action:

There are a number of proposed changes to the draft constitution which need to be developed prior to a final recommendation coming to Council. It is more appropriate to scrutinise and challenge these matters within a small working group of members rather than in a Council meeting.

Background papers: None.

Sign off: comment must be sought from those whose area of responsibility may be affected by the decision, as follows (insert initials of Finance and Legal reps, and of HR, Corporate Property, IT and Strat. Proc. as appropriate):

Fin		Leg		HR		Corp Prop		IT		Strat Proc	
Originating SMT Member TH											

Background

A local authority that is operating executive arrangements must prepare and keep up to date a written constitution that contains such information as the Secretary of State may direct, which includes a copy of the authority's standing orders for the time being, a copy of the authority's code of conduct and such other information as the authority considers appropriate.

A draft Constitution was considered by Council on the 20th June 2011 and was deferred for further consultation. That further consultation was undertaken which raised a number of matters which require more detailed discussion with Councillors, prior to any further report coming to Council.