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**Report to:** Adjourned Annual Council

**Date of Meeting:** 17<sup>th</sup> May 2011

**Subject:** Review of the Constitution

**Report of:** Chief Executive

**Wards Affected:** All wards

**Is this a Key Decision?** Yes

**Is it included in the Forward Plan?** Yes

**Exempt/Confidential** No

No

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### **Purpose/Summary**

To present to the Council proposed revisions to the Council's Constitution.

### **Recommendation(s)**

That the revised Constitution be adopted.

### **How does the decision contribute to the Council's Corporate Objectives?**

	<b><u>Corporate Objective</u></b>	<b><u>Positive Impact</u></b>	<b><u>Neutral Impact</u></b>	<b><u>Negative Impact</u></b>
1	Creating a Learning Community		√	
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being		√	
5	Children and Young People		√	
6	Creating Safe Communities		√	
7	Creating Inclusive Communities		√	
8	Improving the Quality of Council Services and Strengthening Local Democracy	√		

### **Reasons for the Recommendation:**

To allow the revised Constitution to be adopted.

**What will it cost and how will it be financed?**

**(A) Revenue Costs**

Nil

**(B) Capital Costs**

Nil

**Implications:**

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Legal</b> The Interim Head of Corporate Legal Services has been consulted throughout the review of the Constitution	
<b>Human Resources</b>	
<b>Equality</b>	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

**Impact on Service Delivery:**

None

**What consultations have taken place on the proposals and when?**

The Head of Corporate Finance (FD771) and Head of Corporate Legal Services (LD131/11) have been consulted and any comments have been incorporated into the report.

**Are there any other options available for consideration?**

Not at present.

**Implementation Date for the Decision**

Immediately following the Council meeting.

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**Background Papers:**

There are no background papers available for inspection.

## 1. Introduction/Background

- 1.1 In September 2010, the political group leaders agreed to the establishment of a Constitution Working Party to review the Council's Constitution. In the meantime, the draft Localism Bill has been published and, whilst it is acknowledged that, once the Act is implemented a more fundamental review of the Constitution will be required, it was felt that the review should continue to amend the existing Constitution.
- 1.2 The Constitution Working Party (consisting of Councillors Brodie-Browne, Friel and Papworth) met on 5 occasions to review both the existing document and consider amendments proposed by Officers.
- 1.3 The format of the document has also been changed to reduce its size and include tables of content. Once published on-line, the document will be fully indexed and hyperlinks included enabling quick reference to different parts of the Constitution. 'Help text' boxes will also be used to provide further information on specific terms. It is envisaged that this will make the Constitution easier to use for Members, Officers and members of the public.
- 1.4 Issues taken into account during the course of the review included:
  - Minor amendments to Cabinet portfolios
  - The outcome of the scrutiny review of the Bribery Act
  - The changes required to realise savings agreed by the Council in terms of Cabinet Member delegated decision making
  - Changes to the senior management structure of the Council
  - The inclusion of additional information relating to financial procedures and contracts (in consultation with the Head of Internal Audit)
  - Summary and explanation of the Constitution in plain English
  - Updating of the scheme of Members' Allowances following previous decisions of the Council
- 1.5 The proposed amendments are shown as tracked changes and are available to view on the Council's intranet site at the following link <http://sb1msgov1:9070/ecCatDisplay.aspx?sch=doc&cat=13157&path=0> or from the Council's website at the following link <http://modgov.sefton.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13157&path=0>