

THE ANNUAL ASSEMBLY

17 MAY 2006

REPORT OF THE CORPORATE DIRECTOR OF RESOURCES AND DEPUTY CHIEF EXECUTIVE

Title: Council Constitution	For Decision
<p data-bbox="148 488 308 517">Summary:</p> <p data-bbox="148 557 1385 772">In accordance with Part B, Article 2 (The Assembly) paragraph 9, the Assembly has authority to agree changes to the Council Constitution and associated rules, codes, protocols and schemes relating to the way in which the Council operates. It is standard practice that the Constitution is annually reviewed by the Assembly to ensure that the document is appropriate to support the Council in its normal functions and business operations.</p> <p data-bbox="148 815 1433 920">The organisation of the Council including the new senior management structure came into being from 1 April 2006. One of the effects of the reorganisation is a need to review the wording of the Constitution to reflect the changes in relation to job titles, postholders etc.</p> <p data-bbox="148 963 1394 1068">Discussions have been ongoing with leading Members over the past year on a range of issues associated with the operation of the Council which have resulted in some amendments to the Constitution as follows:</p> <ul data-bbox="148 1111 847 1299" style="list-style-type: none">• Elements of the Contract Rules• Scheme of Delegation• Protocols on Member/Employee relationships• Scrutiny call-in• Members Allowances <p data-bbox="148 1341 1409 1447">All the changes, along with any other consequential administrative amendments, have been incorporated in the revised version of the Constitution which has been circulated to all Members under separate cover in full for the new Council term.</p> <p data-bbox="148 1489 1433 1630">Members should note that, as had previously been reported, a report on a review of community forums is to be submitted to the Executive for consideration in due course. In the meantime, therefore, it is proposed that Forum meetings be suspended until such time as the matter is considered.</p> <p data-bbox="148 1673 1437 1814">Finally in response to the effect of the Accounts and Audit Regulations 2003, supported by advice from the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Audit Commission, the Constitution (Parts B and C) include articles and terms of reference for a new Audit Committee. This will replace the Corporate Monitoring Group.</p> <p data-bbox="148 1856 485 1886">Wards Affected: None</p>	

<p>Implications:</p> <p>Financial:</p> <p>Although there are no direct financial implications associated with the changes to the Constitution, the proposed amendments in relation to the Contract Rules should result in considerable savings for the Council in respect of procurement costs and better value for money on contracts.</p> <p>Legal:</p> <p>The Local Government Act 2000 requires Council's to produce, maintain and regularly review the Constitution document which sets out the rules, codes, protocols and schemes by which the Council operates.</p> <p>Risk Management:</p> <p>Any delays in updating the Constitution puts at risk the normal functions and business of the Council being conducted in an effective and efficient manner.</p> <p>Social Inclusion and Diversity: None.</p> <p>Crime and Disorder: None</p>		
<p>Recommendations</p> <p>The Annual Assembly is asked to agree:</p> <ol style="list-style-type: none"> 1. The changes to the Constitution, the revisions to which are incorporated in the updated version of the Constitution; and 2. The suspension of meetings of Community Forums, pending the outcome of the review to be considered by the Executive in due course. <p>The Assembly is also asked to note that the Constitution in its entirety will be made available on the Internet together with a summary of its contents. Paper copies are provided to all Members of the Council, the Chief Executive, Corporate Directors and Heads of Service.</p>		
<p>Reason</p> <p>The responsibility for amending the Constitution falls within the remit of the Annual Assembly.</p>		
<p>Contact Officer: Nina Clark</p>	<p>Title: Assistant Chief Executive (Democracy and Partnerships)</p>	<p>Contact Details: Tel: 020 8227 2114 Fax: 020 8227 2171 Minicom: 020 8227 2685 E-mail: nina.clark@lbbd.gov.uk</p>

1. Consultees

1.1 The following were consulted in the preparation of this report:

- Councillor C Fairbrass, Leader of the Council
- Rob Whiteman, Chief Executive
- John Tatam, Corporate Director of Resources and Deputy Chief Executive
- David Woods, Corporate Director of Customer Services
- Ken Jones, Acting Corporate Director of Regeneration
- Simon Hart, Acting Corporate Director of Adult and Community Services
- Roger Luxton, Corporate Director of Children's Services
- Muhammad Saleem, Divisional Director of Legal Services
- John Dawe, Group Manager Democratic Services

Background Papers Used in the Preparation of the Report:

- Local Government Acts 1972 and 2000 and associated Regulations
- Independent Remuneration Panel