

**Agenda Item No:**

**Report No:**

**Report Title:** Updates to Constitution: Key Decisions, Chair of the Council and Financial Procedure Rules

**Report To:** Council

**Date:** 9 May 2012

**Ward(s) Affected:** All

**Report By:** Corporate Head – Legal and Democratic Services

**Contact Officer(s)-**

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**Purpose of Report:**

To update the Protocol on Key Decisions.

To update the Role Profile of the Chair and Vice-Chair of the Council.

To reinstate the role of Consort to the Chair of the Council.

To update the Financial Procedure Rules.

**Officers Recommendation(s):**

- 1** That the change to the Protocol on Key Decisions, as set out in Appendix A, be approved.
  - 2** That the change to the Role Profile of the Chair and Vice-Chair of the Council, as set out in Appendix B, be approved.
  - 3** To approve the reinstatement of the role of Consort to the Chair of the Council, as set out in Appendix B.
  - 4** That the changes to the Financial Procedure Rules, as set out in Appendix C, be approved.
  - 5** That the Head of Democratic Services updates the Constitution to reflect the changes set out in this Report.
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**Reasons for Recommendations**

- 1** To ensure that the Constitution is kept up to date in light of new procedures and arrangements.

## **Information**

### **Key Decisions**

- 2** The examples of key decisions and non-key decisions contained in Appendix A (Protocol on Key Decisions) have been deleted as they are now out of date. The statutory definition of what constitutes a key decision remains unchanged and is set out in the Constitution.

### **Role Profile of the Chair and Vice-Chair**

- 3** The guidelines set out in Appendix B (Role Profile of the Chair and Vice-Chair of the Council) have been removed. The guidelines remain relevant to the roles and the Civic Officer will continue to refer to them when organising the work of the Chair and Vice-Chair. However, it is not seen as necessary for the guidelines to appear in the Constitution.

### **Role of Consort to the Chair**

- 4** The option of the Chair appointing a Consort to accompany them to appropriate events has been reinstated, as reflected in Appendix B. It is proposed that this be a matter of discretion for each individual Chair of the Council.

### **Financial Procedure Rules**

- 5** The financial procedure rules set out in Appendix C have been updated to facilitate and speed up the business of the Council by enabling the Leader to authorise use of reserves and balances without having to wait for the next cycle of Cabinet meetings. The governance arrangements are that the reserves and balances can only be used for their designated purpose. The Director of Finance would advise the Leader of the Council prior to any authorisation. A re-designation of a reserves purpose would require a Cabinet report
- 6** The amendments also tidy up and bring up to date the remainder of this section of the Constitution.

### **Constitution Working Party**

- 7** Subject to approval of the Appointments 2012/13 recommendation, a Constitution Working Party will be established to review the Council's Constitution and make any further revisions.

### **Financial Appraisal**

- 8** There are no significant financial implications arising from these recommendations.

### **Environmental Implications**

- 9** I have completed the Environmental Implications Questionnaire and there are no significant effects as a result of these recommendations.

## **Risk Management Implications**

- 10** There are no risk management implications arising as a result of these recommendations. If the recommendations are not implemented, the main risk will be that the Constitution is out of date and does not reflect the Council's current procedures.

## **Equality Implications**

- 11** I have completed the initial Equality Impact Assessment screening exercise and no potential negative impacts were identified as a result of these recommendations. Therefore, a full Equality Impact Assessment is not required.

## **Background Papers**

- 12** None

## **Appendices**

- 13** Appendix A: Part 5 – Protocol on Key Decisions  
Appendix B: Part 12 – Role Profile of the Chair and Vice-Chair of the Council  
Appendix C: Part 4 – Financial Procedure Rules