

Appendices:  
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**NORTHAMPTON**  
BOROUGH COUNCIL

# **COUNCIL**

## **22nd January 2018**

**Agenda Status: Public**

**Directorate: Borough Secretary**

<b>Report Title</b>	<b>Initial Proposals for update of the Constitution</b>
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### **1. Purpose**

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1.1 To update all Members on proposed updates to the Constitution.

### **2. Recommendations**

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2.1 That the updated parts Constitution appended to this report (Appendix 1) be noted and agreed by Council.

2.2 That further substantial changes to the Constitution be considered by the Constitution Working Party prior to it be being approved by full Council.

### **3. Issues and Choices**

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#### **3.1 Report Background**

3.1 The cross party Constitution Review Working Party (CRWP) met on the 8<sup>th</sup> January 2018 to discuss changes and updates to the Constitution which would improve and update the Council's internal governance arrangements, give effect to relevant statutory provisions and reflect changes that the Council have agreed to through a Local Government Shared Service and the creation of an Arm's lengths Management Organisation (Northampton Partnership Homes).

3.2 Full Council nominated the following Councillors to the CRWP at Annual Council on the 18<sup>th</sup> May 2017:

- Councillor Beardsworth
- Councillor Culbard
- Councillor Larratt

- Councillor Oldham
- Councillor Russell

The CRWP was supported by Officers and led by the Monitoring Officer.

3.3 The CRWP met on the 8<sup>th</sup> January 2018 to review initial proposals for an update to the Constitution which were considered to be minor and reflected changes to the Council's Management Structure, Cabinet Member responsibilities, Cabinet procedure rules (The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) and the Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils.

3.4 The Constitution is a fundamental governance document for the Council and orders key aspects of Council procedure and power. However, Constitutions by their very nature reflect as snap shot of time and can become rapidly outdated due to the fluidity of the document, especially during dynamic and changing external influences.

3.5 In the first instance, Council are being asked to approve these initial changes to the Constitution, which are essentially an update to the said document. Furthermore, the CRWP will meet to review more significant proposed changes to the Constitution. The proposed updates will include:

- contract procedure rules,
- financial regulation and the
- scheme of delegations
- Planning Protocol
- Any other changes which merit consideration

3.6 Once the CRWP have considered the proposed changes to the Constitution and made appropriate amendments and recommendations, Council will be asked to consider and agree the changes which will facilitate clarity in the decision-making process and clarify roles and responsibilities and provide greater accountability. This will assist in better management and reduction of legal risks.

3.7 It is anticipated that further proposed changes to the Constitution will be submitted to Full Council for approval in March 2018 after having been considered by the CRWP.

3.8 Due to the size of the Constitution, only the extracts of the proposed changes are appended to the report.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

4.1.1 N/A

### **4.2 Resources and Risk**

4.2.1 There are no resources or risks as an outcome of the report.

### **4.3 Legal**

4.3.1 There are no legal implications as an outcome of the report.

### **4.4 Equality**

4.4.1 None

### **4.5 Other Implications**

4.5.1 N/A

## **5. Background Papers**

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5.1 None

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