

EXECUTIVE CABINET

RECOMMENDATIONS TO THE COUNCIL

24TH APRIL 2007

REVIEW OF THE COUNCIL'S CONSTITUTION

The Cabinet has given consideration to a report on a review of the Council's Constitution.

It is therefore RECOMMENDED that

1. The Constitution be amended in accordance with the drafts appended to the report to take effect from 4 May 2007, subject to the following amendments:

(i) In relation to the Standards Committee:

The Articles be amended as follows:

Paragraph 10.2 a. (i) (**page 19**) be amended to read as follows:

“three District Councillors (other than the Leader) two of whom will be members of the controlling political group and one of whom will not be a member of the controlling political group.”

Paragraph 10.3 m. (**page 20**) be deleted.

Paragraph 15.1 (**page 28**) be amended as follows:

“The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.”

(ii) In relation to the consideration of Scrutiny Steering Board reports the following wording be included in the Cabinet Procedure Rules as para 9.11 – 12 (**page 56**) and to the Scrutiny Procedure Rules as para 15.2 – 4 (**page 64**).

“* The Cabinet will consider all reports and recommendations presented by the Scrutiny Steering Board and will provide the Scrutiny Steering Board with a response.

* A Scrutiny Steering Board report which includes one or more proposals which would require a departure from the Budget and Policy Framework will be considered in the first instance by the Cabinet. The Cabinet will decide whether to recommend to the

Council that those proposals be implemented. If the Cabinet decides not to recommend to Council that those proposals be implemented, its decision, together with the reasons for that decision, shall be reported back to the Scrutiny Steering Board.

- * The Scrutiny Steering Board may then request the Chief Executive to include the report and those proposals which would require a departure from the Budget and Policy Framework on the agenda for the next available Council meeting.”
- (iii) In relation to Article 7.6 b (**page 17**), the wording be amended as follows:
- “When a decision regarding a Cabinet function requires attention as a matter of such urgency that formal reporting to Cabinet is not possible, the Leader may take that decision in consultation with the relevant Portfolio Holders, the Chief Executive, the Section 151 Officer and the Monitoring Officer.”
2. Authority be delegated to the Head of Legal and Democratic Services to correct typographical and/or cross-referencing errors in order to give effect to the Council’s intentions.
 3. There be a further review of the Constitution within 12 months.