

<b>COUNCIL</b>	<b>AGENDA ITEM 8 (iii) (b)</b>
<b>13 OCTOBER 2010</b>	<b>PUBLIC REPORT</b>

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## **CHANGES TO THE CONSTITUTION**

<b>RECOMMENDATIONS</b>
<b>FROM : SOLICITOR TO THE COUNCIL</b>
<p>(a) That Council approves the changes to the Constitution outlined within the report and authorises the Monitoring Officer to undertake any consequential amendments to, and updating of, the Constitution; and</p> <p>(b) That subject to the approval of (a) above, Council approves the re-calculation of the seat allocations under the political balance rules and appoints the members of the Planning Review Committee that will deal with the call-in of planning decisions (and also determines any other new appointments to committees that are proposed).</p>

### **1. ORIGIN OF REPORT**

- 1.1 The Monitoring Officer is responsible under Article 14 of the Constitution for monitoring and reviewing the Constitution. In fulfilling this responsibility, the Monitoring Officer submits reports periodically to Council which contain recommendations to update the Constitution.

### **2. PURPOSE AND REASON FOR REPORT**

- 2.1 The report contains recommendations at Appendix A that seek to improve the efficiency and effectiveness of the procedures within the Constitution. The recommendations have been developed in consultation with the Council's Constitution Review Group comprising Group Leaders and the Deputy Leader.

### **3. ANTICIPATED OUTCOMES**

- 3.1 Implementation of the recommendations within the report will ensure that the Council's corporate governance arrangements remain robust and will reduce the risk of successful legal challenge to any decisions taken by the Council.
- 3.2 Should the Council approve the recommendation to create an additional committee to consider and determine planning matters that have been subject to call-in, it should formally approve the allocation of seats to political groups under the political balance rules, make appointments to the new committee and also determine any new

appointments that are proposed by political groups. Details of the seat allocations are provided at Appendix C. Members will note that under the new calculations the Liberal Democrats and Labour Group have equal claims to a seat and Council will need to decide to which group the seat will be allocated.

#### **4. REASONS FOR RECOMMENDATIONS**

- 4.1 It is good practice to review the Constitution on a regular basis to ensure that it supports transparency and openness in terms of the Council's decision-making arrangements.

#### **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 It is important that the Constitution is kept up to date and accurate or otherwise it will not enable the Council to act in accordance with good practice.

#### **6. IMPLICATIONS**

##### 6.1 Legal

The proposals in this report comply with all legal requirements.

##### 6.2 Financial

There are no financial implications.

#### **7. BACKGROUND DOCUMENTS**

- 7.1 None.