

**Monitoring Officer's Amendments to the Constitution**

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Democracy and General Purposes Committee	21 September 2022

<b>Final Decision-Maker</b>	N/A
<b>Lead Head of Service</b>	Claudette Valmond Head of Legal Partnership
<b>Lead Officer and Report Author</b>	Jayne Bolas Interim Monitoring Officer and Robin Harris Interim Deputy Monitoring Officer
<b>Classification</b>	Public
<b>Wards affected</b>	None

**Executive Summary**

This Report is for information and details the use of the Monitoring Officer's (MO) delegation to make amendments to the Council's Constitution from 22<sup>nd</sup> June 2022 to 19<sup>th</sup> September 2022.

**Purpose of Report**

For noting.

**This report makes the following recommendations to the Committee**

1. That the uses of the Monitoring Officer's delegation to amend the Constitution as shown at Appendix 1 of this report be noted.

## Monitoring Officer's Amendments to the Constitution

### 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Impact on Corporate Priorities</b>	No implications.	Team Leader (Contentious and Corporate Governance)
<b>Cross Cutting Objectives</b>	No implications.	Team Leader (Contentious and Corporate Governance)
<b>Risk Management</b>	See below.	Team Leader (Contentious and Corporate Governance)
<b>Financial</b>	No implications.	Team Leader (Contentious and Corporate Governance)
<b>Staffing</b>	No implications.	Team Leader (Contentious and Corporate Governance)
<b>Legal</b>	These changes represent minor amendments to the constitution and do not conflict with any legislation or regulations.	Team Leader (Contentious and Corporate Governance)
<b>Information Governance</b>	No implications.	Team Leader (Contentious and Corporate Governance)
<b>Equalities</b>	No implications.	Team Leader (Contentious and Corporate Governance)

<b>Public Health</b>	No implications.	Team Leader (Contentious and Corporate Governance)
<b>Crime and Disorder</b>	No implications.	Team Leader (Contentious and Corporate Governance)
<b>Procurement</b>	No implications.	Team Leader (Contentious and Corporate Governance)
<b>Biodiversity and Climate Change</b>	No implications.	Team Leader (Contentious and Corporate Governance)

## 2. INTRODUCTION AND BACKGROUND

2.1 In The MO of the Council has an officer delegation to make amendments to the Council’s Constitution in a limited number of circumstances. This was in place prior to the change in governance system and adoption of a new Constitution on 21, May 2022 and remains the same, see below:

### ***Part B5 Responsibilities of Senior Officers.***

#### ***18. Monitoring Officer***

*18.1. The Monitoring Officer has delegated authority to make changes to the Constitution which are necessitated by decisions taken by the Council; which remove inconsistency or ambiguity; which are minor; or to effect changes in the law.*

2.2 This is not a frequently used delegation. However, members will be aware that during the process of rewriting the Constitution Officers gave advice that the Constitution was an evolving document and when discrepancies were found there would be a need for amendments going forward. Where these have related to inconsistency, ambiguity or minor matters, as here, the MO has authorised amendment. Details of those amendments are set out at Appendix 1.

2.3 As these amendments can occur at any time it was agreed that a report on such amendments would come to this Committee as a standing item as part of their general oversight of the Constitution.

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### **3. AVAILABLE OPTIONS**

3.1 This report is for noting only.

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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

4.1 This report is for noting only.

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### **5. RISK**

5.1 This report is presented for information only and has no risk management implications.

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### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

6.1 None

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### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

7.1 The changes have already taken effect.

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### **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Appendix 1 – Changes to the Constitution

### **9. BACKGROUND PAPERS**

None.