



NORTHAMPTON
BOROUGH COUNCIL

Item No.

Name of Meeting:	COUNCIL
Meeting Date:	28 June 2007
Directorate:	Chief Executive
Corporate Manager:	Francis Fernandes
Agenda Status:	Public Part of the Agenda

Report Title	Amendments to Constitution
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Recommendation

That Council:

1. Approves the amendments to the Constitution set out in the Appendix 1 to this Report.
2. Authorises the Solicitor to the Council to publish a revised version of the Constitution incorporating these and consequential minor amendments.
3. Gives the Solicitor to the Council delegated powers to amend the Constitution to allow amendments that are required to implement Council's decision on the political structures on 25 May 2007, in consultation with the Chief Executive and the Group Leaders.
4. Agrees to incorporate the Joint Political statement into the protocols section of the Constitution (attached at Appendix 2).
5. Authorises officers to advertise the Constitutional changes as required by the relevant regulations.
6. Agrees to a review of the Constitution within 12 months of this Council meeting.

Background

1. At the Annual Council Meeting held on 24 May 2007 and 25 May 2007 the Council agreed a number of changes to its executive arrangements and political structures. The Solicitor to the Council was instructed to make the necessary amendments to the Constitution to accord with these changes and to bring a further report containing the constitutional changes to the next meeting.
2. This report contains the detailed draft to be incorporated into the Constitution.
3. The Principal changes to the Constitution are set out in the Appendix to this report. In summary these comprise:

Part 2 – Articles of Constitution

Article 6 – Overview & Scrutiny Committees – revised to provide for three O&S Committees and an O&S Management Committee

Article 7 – The Cabinet – revised to reflect the agreed changes

Part 3 – Responsibility for Functions

- Revised tables to incorporate agreed changes, in particular the establishment of the General Purposes Committee and the Appointments and Appeals Committee and the disestablishment of the Tree Panel as a full committee of the Council. The changes in number of committee members are also included.
- Leader's Scheme of Delegations –
Revisions to incorporate new portfolios

Part 4 – Rules of Procedure

- Council Procedure Rules –
Revised Rule 1.4 – Guillotine, changed to 9:30 pm
- Guidelines for open Government –
Revisions to provide for registration of intention to speak at Cabinet meetings

- Cabinet Procedure Rules –
Revised to make more specific provision for Cabinet Committees
- Overview & Scrutiny Procedure Rules –
Revised to provide for three O&S Committees and the O&S Management Committee. Note that provision is also made for the co-option of non-voting lay members onto the Overview & Scrutiny Committees

Part 5 – Codes and Protocols

- Annexure – Cabinet Members Decision Protocol –
Revised to remove the requirement for a non-statutory quasi forward plan
4. In addition to these main amendments there are numerous small amendments that will be needed in consequence of the changes, such as altering all references to the Overview & Scrutiny Committee, in the singular, to take into account that there are now three such Committees. These minor amendments are not all detailed in the Appendix and it is recommended that the Solicitor to the Council be authorised to make these and other small alterations as necessary in republishing the Constitution document
 5. At its meeting on 21 July 2005 Council agreed a “contract” between Council, Cabinet and Overview and Scrutiny Committees, to ensure that the roles, responsibilities and behaviours expected by the main Council governance bodies, supported improvement and recovery.

The Joint Statement (Appendix 2) signed by the Group Leaders, further adds to this and Council is requested to adopt this statement as a formal protocol document in the Constitution.

The Standards Committee will then monitor compliance with the document, as it does with the contract.

6. It is good practice for the Constitution to be periodically reviewed to ensure that it is fit for purpose.

It is suggested that a review process should commence in 6 months, with a target date for Council to consider any amendments within 12 months of the date of this meeting.

Background Papers

Description	Source
The Constitution Documents Report to Annual Council Meeting 24 May 2007 Various documents	File FJF – NBC

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