

Appendices: 3



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

10th September 2018

Agenda Status: Public

**Directorate: Customers and
Communities**

Report Title	Proposed Amendments to Constitution - Markets
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1. Purpose

- 1.1 The purpose of this report is to seek Council's approval to proposed amendments to the Constitution that relate to the Markets Advisory Group and the powers delegated to officers in respect of market functions.

2. Recommendations

Full Council is recommended to:

- 2.1 amend the Responsibility for Functions section in Part 3 of the Council's Constitution, as set out in Appendix 2, to amend the composition of the Market Advisory Group so that the Chair be the Cabinet Member with responsibility for Market Liaison (instead of an independent Chair nominated by the Leader of the Council); and
- 2.2 amend the Scheme of Delegations to Officers in the Constitution to delegate the powers currently delegated to the Town Centre Manager in respect of market matters (Part 8, Part B, paragraph 5.1), to the Markets Manager, as set out in Appendix 3.

3. Issues and Choices

3.1 Report Background

- 3.1.1 Currently the composition of the Market Advisory Group is three Members of the Council appointed broadly in line with political balance by the Chief Executive in consultation with the Leader of the Council and an independent

person nominated by the Leader of the Council to be the Chair. This is set out in Part 3 of the Constitution in the section on responsibility for executive functions.

- 3.1.2 On 18th July 2018, Cabinet considered a report on the Markets Advisory Group and agreed all of the recommendations in the report. This report is at Appendix 1 for information. This report explained that a consultation had been undertaken with market traders and that market traders supported a move to meetings chaired by the Cabinet Member with responsibility for market liaison. Cabinet therefore resolved that Full Council be recommended to amend the Responsibility for Functions section in Part 3 of the Constitution to amend the composition of the Market Advisory Group.
- 3.1.3 Cabinet also resolved that Full Council be recommended to amend the Scheme of Delegations to Officers in the Constitution to delegate the powers currently delegated to the Town Centre Manager in respect of market matters to the Market Manager. This is because the Market Manager holds day to day responsibility for these functions and is present on the Market on a daily basis.

3.2 Decision details

- 3.2.1 Full Council is therefore recommended to amend the Responsibility for Functions section in Part 3 of the Council's Constitution, as set out in Appendix 2, to amend the composition of the Market Advisory Group so that the Chair be the Cabinet Member with responsibility for Market Liaison (instead of an independent Chair nominated by the Leader of the Council).
- 3.2.2 Full Council is therefore recommended to amend the Scheme of Delegations to Officers in the Constitution to delegate the powers currently delegated to the Town Centre Manager in respect of market matters (Part 8, Part B, Paragraph 5.1), to the Market Manager, as set out in Appendix 3.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 There are no policy implications arising directly from this report.

4.2 Resources and Risk

- 4.2.1 There are no resources implications arising directly from this report.
- 4.2.2 As the Constitution is an important governance document for the Council, keeping it under review and up to date, will facilitate clarity and decision making, clarify responsibilities and accountabilities and help to better manage risks.

4.3 Legal

4.3.1 The Council has a legal responsibility under the Local Government Act 2000 to prepare its Constitution and keep it up to date.

4.4 Equality

4.4.1 There are no equality implications arising directly from this report. The Cabinet report states that a Community Impact Assessment was completed.

4.5 Other Implications

4.5.1 None

5. Background Papers

5.1 None

**[Marion Goodman, Head of Customers and Communities
Francis Fernandes, Borough Secretary]**

0300 330 7000