



GOVERNANCE COMMITTEE

REPORT

Subject Heading:

MONITORING OFFICER NO 16
AMENDMENTS TO THE
CONSTITUTION

Report Author and contact details:

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Policy context:

Monitoring Officer Amendments to the
Constitution

Financial summary:

These changes are purely procedural and
have no specific financial implications

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

Part 2 Article 11.02(c) of the Constitution authorises the Monitoring Officer to amend the Constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure.

The constitution provides that this committee must be notified of any such amendment at the first reasonable opportunity.

RECOMMENDATIONS

That this report be noted.

REPORT DETAIL

The Monitoring Officer has the ability to make limited amendments to the Constitution as set out in the summary above.

As a new Constitution has been adopted with effect from 9th May 2010 the numbering system has commenced again from 01/10.

The meeting of this committee is the first opportunity for the reporting of the most recent amendments made and the committee is requested accordingly to note the amendments made.

IMPLICATIONS AND RISKS

*There is a **corporate** requirement to set out the implications and risks of the decision sought, in the following areas*

Financial implications and risks:

These changes are purely procedural and have no specific financial implications.

Legal implications and risks:

The Constitution provides for the Monitoring Officer to make certain amendments to the constitution

Human Resources implications and risks: None

Equalities implications and risks: None

BACKGROUND PAPERS

E-mail correspondence re: amendments

SUBJECT: AMENDMENTS TO CONSTITUTION

Notification No. 16

Date 23rd April 2013

Notification of amendments to the constitution

Amendments made by the Monitoring Officer

Part 2, Article 11.02(c) of the constitution provides that the Monitoring Officer has a limited authority to amend the constitution. The Monitoring Officer is authorised to amend the constitution to correct errors or to comply with any legal requirement or to reflect organisational changes to the Council's structure. The Governance Committee must be notified of any such amendment at the first reasonable opportunity.

In accordance with this authority, the Monitoring Officer gives notice of the following amendments to the constitution.

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
Part 3.2	39	Remove Health & Wellbeing Board section and insert a new section 2.7 as follows: 2.7 Health & Wellbeing Board The Health and Wellbeing Board is by virtue of the provision of the Health and Social Care Act 2013 an executive committee of the Council to exercise those functions prescribed under the Health and Social Care Act 2012. In particular to:	Error – this is an executive function
Part 3.2	44	Remove Health & Wellbeing Board – Health Protection Forum to new section under 2.7 Health Protection Forum To provide assistance and guidance to the Director of Public Health to enable them to fulfil their function with regard to health protection and emergency planning as prescribed in section 12 of the Health and Social Care Act 2012	Error – this is an executive function