



# GOVERNANCE COMMITTEE

# REPORT

**Subject Heading:**

MONITORING OFFICER NO 17  
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 9<sup>th</sup> 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. 17**

**Date 29th 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.

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
Part 2 Article 1 1.03(b)	11	Amend item 3 in 1.03(b) to: Director of Children Services (appointed under S.18 Education Act 2004) and Director of Adult Social Services appointed under S.6 (A1) Local Authority Social Services Act 1970) (i.e. the Group Director of Children, Adults and Housing Services)	Reorganisation
Part 2 Article 1 1.03(b)	11	Delete item 4 in 1.03(b) and renumber item 5 to become item 4 and amend to: S.151 Officer (i.e. the Group Director Resources)	Reorganisation
Part 2 Article 1 1.03(b)	11	Renumber item 6 to item 5 and amend the name of the group director to: .. Group Director & Culture, Community & Economic Development	Reorganisation
Part 2 Article 1 1.03(b)	11	Renumber item 7 to item 6	Reorganisation
Part 2 Article 8 8.01(c)	21	Amend table of statutory posts to:  Group Director Resources = responsible officer under S.151 Local Government Act 1972 (Chief Finance Officer)  Group Director Children, Adults &	Reorganisation

Part and article/ section	Page reference	Substance of amendment / amended wording	Reason for amendment
		Housing Services = Director of Adult Social Services and Director of Childrens Services	
Part 3	59	Functions delegated to staff  Amend to read:  3.5 Functions relating to the Children, Adults & Housing group of services  3.6 Functions relating to the Culture, Community & Economic Development group of services  3.7 Functions relating to the Resources group of services	Reorganisation
Part 3.5	66	Amend to read:  <b>Functions relating to the Children, Adults &amp; Housing group of Services</b>	Reorganisation
Part 3.5.1	66	Amend to read:  Group Director Children, Adults & Housing Services	Reorganisation
Part 3.5.2	66	Delete 3.5.2 Group Director Children's Services and renumber section.	Reorganisation
Part 3.5.7	66	Add new section 3.5.7 Head of Homes and Housing	Reorganisation
Part 3.5.1	66	Amend heading to read:  <b>3.5.1 GROUP DIRECTOR CHILDREN, ADULTS AND HOUSING SERVICES</b>	Reorganisation
3.5.1	66	Deleted paragraph (h)	Reorganisation
3.5.2	67	Delete 5.5.2 Group Director Children's Services and	Reorganisation
3.5.2	67	Move 3.5.2 Group Director of Children's Services powers (a) (b) (f) (h) (i) (j) To 3.5.1 Group Director Children, Adults & Housing Services and renumber. Delete Group Director of Children	Reorganisation

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
		Services paras (c), (d), (e) and (g)	
3.5.4	69	Reorder 3.5.4 to 3.5.3 Amend (c) heading to read <b>The Head of Children and Young Person's Services and the Head of Learning and Achievement</b>	Reorganisation
3.5.3	69	Reorder 3.5.3 to 3.5.2	Reorganisation
3.5.5	69	Reorder 3.5.5. to 3.5.4	Reorganisation
3.5.6	75	Reorder 3.5.6 to 3.5.5	Reorganisation
3.5.7	78	Reorder 3.5.7 to 3.5.6	Reorganisation
3.5.7	80	Add New section <b>3.5.7 Head of Homes &amp; Housing</b>	Reorganisation
3.6	80	Amend heading to read: <b>Functions relating to the Culture, Community and Economic Development Group of Services</b>	Reorganisation
3.6	80	Amend to read <b>3.6.1 to Group Director Culture, Community and Economic Development</b>	Reorganisation
3.6	80	Amend to read <b>3.6.6 Head of Regulatory Services</b>	Reorganisation
3.6.2	81	Move paragraphs 3.6.2 (c) & (f) to 3.6.6 and renumber	Reorganisation
Part 3.6.5	86	Move paragraphs 3.6.5 (e) (f) & (g) to 3.6.6 and renumber	Reorganisation
Part 3.6.6	87	Amend heading to read: <b>3.6.6 Head of Regulatory Services</b>	Reorganisation
Part 3.6.6	87	Move paragraphs 3.6.6 (a) to (dd)(xv) to new 3.5.7	Reorganisation
Part 3.6.6	91	Add new Heading: <b>Planning Control, Building Control &amp; Business Continuity</b>	Reorganisation

<b>Part and article/ section</b>	<b>Page reference</b>	<b>Substance of amendment / amended wording</b>	<b>Reason for amendment</b>
Part 3.6.6	91	Rename (ee) Licensing as a heading <b><u>Licensing</u></b>	Reorganisation
Part 3.6.6	91	Rename first paragraph: (a) The Head of Regulatory Services, the Public Protection Manager and any of the Public Protection Divisional Managers	Reorganisation
Part 3.6.6	92	Rename (ff) Public Protection as a heading <b><u>Public Protection</u></b> and renumber paragraphs from (a) – (d)	Reorganisation
Part 3.6.6	93	Rename second paragraph: (ii) Cemeteries and Crematorium as a heading <b><u>Cemeteries and Crematorium</u></b> and renumber paragraph from (a) – (c)	Reorganisation
Part 3.7	94	Rename heading to read: <b>Functions relating to the Resources Group of Services</b>	Reorganisation
Part 3.7	94	Rename: <b>3.7.1 GROUP DIRECTOR RESOURCES</b>	Reorganisation
Part 3.7.1	94	3.5.1 rename: Group Director Resources	Reorganisation
Part 3.7.1	94	Delete 3.7.6 Head of Development and Building Control renumber 3.7.6 Head of People and Change	Reorganisation
Part 3.7.6	99	Move section 3.7.6 Planning Control, Building Control & Emergency Planning to 3.6.6 <b>Planning Control (a) – (cc)</b> <b>Building Control (a) - (c)</b> <b>Emergency Planning (a)</b>	Reorganisation
Part 4 Section 4 Contract Procedure Rules	187-219	Amend all references of Group Director Finance & Commerce to Group Director Resources	Reorganisation
Part 4 Section 2 Budget Framework	173-178	Amend all references of Group Director Finance & Commerce to Group Director Resources	Reorganisation
Part 4 Section 7 Finance	257-274	Amend all references of Group Director Finance & Commerce to Group Director Resources	Reorganisation
Part 7 Structure Chart	353	Structure chart to be amended to reflect Reorganisation	Reorganisation

**Governance Committee, 29 May 2013**

