

<b>Report to:</b>	<b>COUNCIL</b>
<b>Relevant Officer:</b>	Mark Towers, Director of Governance and Partnerships
<b>Relevant Cabinet Member:</b>	Councillor Blackburn, Leader of the Council
<b>Date of Meeting:</b>	14 May 2018

## **SCHEME OF DELEGATION/ CHANGES TO THE CONSTITUTION**

### **1.0 Purpose of the report:**

- 1.1 The purpose of the report to agree the scheme of delegation and consider changes to the Council's Constitution.

### **2.0 Recommendation(s):**

- 2.1 To agree that no changes are made to the scheme of delegation for which the Council has responsibility.
- 2.2 To amend Procedural Standing Order 10 in Part 4a of the constitution to incorporate a new paragraph at 10.7 (see Appendix 12(a)) to reflect the process to be followed should a member have either a disclosable pecuniary interest or a prejudicial interest and have to leave the room during the consideration of Executive Member and Council appointed representatives' reports at Council meetings.

### **3.0 Reasons for recommendation(s):**

- 3.1 To undertake this annual review in accordance with the Council's Constitution and to accommodate revised guidance when members need to declare disclosable pecuniary interests or prejudicial interests at Council meetings when consider reports from Executive Member and Council appointed representatives.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

### **3.3 Other alternative options to be considered:**

To make changes to the scheme of delegation relating to the Council functions, although this is not recommended.

To agree a different process for dealing with interests when considering Executive Member and Council appointed representatives' reports.

**4.0 Council Priority:**

4.1 The review of the Scheme of delegation will help the Council achieve all its priorities.

**5.0 Background Information**

5.1 Under the provisions of the Local Government Act 2000, the Executive ceased to be a committee of the Council within the meaning of the Local Government Act 1972 and the functions assigned to the Executive are for the Leader of the Council to delegate. The Council's non-executive functions and scheme of delegation are for the Council itself to delegate. There are no proposed changes to the scheme of delegation.

5.2 When delivering the recent training on registering and declaring interests to members, a practical approach to Declaration of Interests on Executive Member and Council appointed representative reports was discussed. The suggestion was that the standing orders should allow a question or comment to be asked and answered straight away whilst a member with an interest in the issue is out of the room. On returning to the room then the opportunity for questions and comments by other members will continue and the remaining answers given as normal at the end of that part of the process.

5.3 A change to Procedural Standing Order 10 needs to be updated to bring this into effect.

Does the information submitted include any exempt information? No

**List of Appendices:**

Appendix 12(a) - Proposed new Procedural Standing Order 10.

**6.0 Legal considerations:**

6.1 The Council's Constitution (Procedure Rule 2.2 of Part 4 of the Constitution) requires the Annual meeting to consider changes (if any) to the scheme of delegation or such part of it as the constitution determines it is for the Council to agree. The current scheme of delegation is set out in Part 3 of the Constitution (Responsibility for Functions).

**7.0 Human Resources considerations:**

7.1 There are no Human Resources considerations.

**8.0 Equalities considerations:**

8.1 There are no equalities considerations.

**9.0 Financial considerations:**

9.1 There are no financial considerations.

**10.0 Risk management considerations:**

10.1 There are no risk management considerations.

**11.0 Ethical considerations:**

11.1 There are no ethical considerations.

**12.0 Internal/ External Consultation undertaken:**

12.1 No further consultation has taken place with this item.

**13.0 Background papers:**

13.1 There are no additional background papers to this report.