



Report of the Assistant Chief Executive (Corporate Governance)

General Purposes Committee

Date: 8th September 2009

Subject: Amendments to Article 15

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose Of This Report

1.1 The purpose of this report is to request that General Purposes Committee recommend that full Council approve the proposed amendments to Article 15 of the Constitution, as attached at Appendix 1.

2.0 Background Information

2.1 Article 15 explains the Monitoring Officer's responsibilities in relation to the monitoring and review of the Constitution, and sets out who is authorised to make amendments to the Constitution.

3.0 Main Issues

3.1 Paragraph 15.2 of Article 15 states that, 'The Monitoring Officer is authorised to make any changes to any Part of the Constitution which are required:

- As a result of legislative change or decisions of the Council or Executive to enable him/her to maintain it up-to-date;
- Or for the purposes of clarification only.'

3.2 In order to clarify the first bullet point relating to decisions of the Council or Executive, it is proposed that the Article is amended as attached at Appendix 1. The amendments clarify that 'decisions of the Council or Executive' includes those decisions made by Council Committees, Committees of the Executive, and officers acting under delegated authority.

3.3 Although this amendment would be for clarification purposes only and strictly within the Monitoring Officers delegated authority, it is considered more transparent and therefore preferable by the Monitoring Officer that the proposal is agreed by General

Purposes Committee and full Council rather than the Monitoring Officer approving an amendment to her own authority.

4.0 Implications For Council Policy And Governance

4.1 It is in accordance with good governance principles to keep the Constitution under review.

5.0 Legal And Resource Implications

5.1 General Purposes Committee is authorised to consider proposals to amend the Constitution and make recommendations to Full Council.

6.0 Conclusions

6.1 General Purposes Committee are asked to recommend that full Council amend Article 15 as attached at Appendix 1, for the purposes of clarification.

7.0 Recommendations

7.1 Members of General Purposes Committee are asked to recommend that full Council approve the proposed amendments to Article 15 of the Constitution, as attached at Appendix 1.

Background Documents:

None.