

REPORT TO: Executive Board

DATE: 18 May 2010

REPORTING OFFICER: Strategic Director - Resources

SUBJECT: Annual Review of Constitution: 2010

1.0 PURPOSE OF REPORT

- 1.1 The purpose of the report is to seek the approval of the Council to a number of changes to the Constitution.

2.0 RECOMMENDATION:

- 2.1 That Council be recommended to approve the changes to the Constitution as set out in the amended version enclosed herewith.**

3.0 BACKGROUND

- 3.1 A revised version of the Constitution is enclosed (see disc) for Members' consideration. The revised version picks up the changes to the Council's working arrangements that have taken place during the year, as well as other changes which are intended to assist the Council to operate more effectively.
- 3.2 The proposals for change have been considered by the Chief Executive and the Executive Board Member for Corporate Services in accordance with Article 16.02. Apart from the purely technical changes, the proposed amendments that are considered to be of particular significance are listed in Appendix 1 to this report.
- 3.3 Attached at Appendix 2 are a series of proposals for changes to the Constitution which have been received from the respective Leaders of the Opposition Groups.

4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS

- 4.1 As with the 2009 review the implications of the Local Government and Improvement in Health Act 2007 have been considered as well as other changes in the law. However, no further amendments, over and above those already outlined in the revised version circulated, are required at the present time. This review has also taken account of the changes to the Council's structure as a result of the Efficiency Programme. Any other required changes during the period 2010/11 will be the subject of further reports when dates and details are available.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

- 5.1 Children and Young People in Halton.**
- 5.2 Employment, Learning and Skills in Halton.**
- 5.3 A Healthy Halton.**
- 5.4 A Safer Halton.**
- 5.5 Halton's Urban Renewal.**

All of the Council's priorities will be better served by the proposed changes. They are designed to enhance economy, efficiency and effectiveness of the Council's functions.

6.0 RISK ANALYSIS

- 6.1 The Council needs to ensure that its Constitution is regularly updated so that it continues to support efficient, transparent and accountable decision-making by the authority.

7.0 EQUALITY AND DIVERSITY ISSUES

- 7.1 None.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

None under the meaning of the Act.

Proposed Significant Changes to the Constitution

Members' Allowance Scheme

This section has been updated in line with the scheme adopted by Council on 3 March 2010.

Call-In Procedure

Changes have been made and a revised procedure and rules for debate drawn up.

Carbon Reduction Allowances

Not currently referred to but it is proposed to merge the powers in respect of Landfill Allowances in the duties delegated to Officers.

Finance Standing Orders

Changes to reflect new Service structures and section on Leasing and Credit Arrangements updated.

Standing Orders Relating to Duties of Proper Officers and Delegation to Officers

Extensively updated in line with the new structures following the Efficiency Review, effective from 1 April 2010.

Old paragraph 31 (new paragraph 30) - the authorisation of transactions involving the acquisitions and disposal of interests in land – proposed increase in value delegated to Officers from the current £100,000 to £250,000. This reflects the rate of inflation and the fact that the financial limit for this delegation had remained at £100,000 since 2004.

Regulatory Committee

The scope of licensing matters has been updated.

Procurement Standing Orders

Improvements have been proposed to the Procurement Standing Orders to mitigate the risk of cartel activity.