

REPORT TO: Executive Board

DATE: 14 April 2022

REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

PORTFOLIO: Corporate Services

SUBJECT: Annual Review of Constitution 2022

WARDS: Borough-wide

1.0 PURPOSE OF REPORT

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

2.0 RECOMMENDATION: That Executive Board recommends Council to approve the changes to the Constitution including the matters set out in Appendix 1.

3.0 BACKGROUND

3.1 The revised version of the Constitution 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 Resources 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.

4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS

4.1 All legislative changes have been considered. However, no further amendments, over and above those already outlined, are required at the present time. Any other required changes during the period 2022/23 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.

The changes proposed are designed to support the continued delivery of the Council's priorities.

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

Procurement Standing Orders

Insertion of a new provision dealing with novation of contracts. In a contract novation the original contract is extinguished and is replaced by a new one in which a third party takes up rights and obligations which duplicate those of one of the original parties to the contract. Novation is only possible with the consent of the original contracting parties as well as the new party. A request to novate a contract may typically be received by the Council when a supplier's business is sold or restructured. It is considered that the Procurement Standing Orders will be improved with the addition of a section dealing with novation.

Audit & Governance Board

To pick up the additions to the Terms of Reference of Audit & Governance Board dealing with Standards issues which were agreed by Council in July 2021. .

Code of Conduct for Members

To make the proposed small changes to the Code of Conduct provided that they are approved by Council at the Annual Meeting

Members Allowances Scheme

To include the new Scheme which was approved by Council in March 2022.

Management Structure Chart

To update the chart.