

REPORT TO: Executive Board

DATE: 2 April 2009

REPORTING OFFICER: Strategic Director - Corporate and Policy

SUBJECT: Annual Review of Constitution: 2009

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.

4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS

4.1 As with the 2008 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. Sections of the 2007 Act have still to come into force but we have no firm dates for those changes being introduced. Required changes during the period 2009/10 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.

Appendix 1 – Proposed Significant Changes to the Constitution

CHANGES

Local Code of Corporate Governance

National Standard document which Council needs to adopt. Further enhances the Council's integrity framework.

Warrington BC Trading Standards arrangements

Delegated powers changes to reflect joint working with Warrington BC

Mental Health functions – officer delegation

A separate report seeking additional officer delegations in relation to the council's Mental Health functions. To the extent approved by Council these will be added to the final printed version of the 2009 Constitution.

Urgent Decisions

It is important that the Council is able to respond promptly within an accountable framework. For this reason an urgent measures delegation is proposed for approval in the Scheme of Delegation.

Procurement Standing Orders

Improvements have also been proposed to the Procurement Standing Orders to ensure that the reasons for decisions are documented. This will enhance accountability and transparency.

Call-In

Changes have also been made to the Call-In Procedure to allow withdrawal where Members initiating the Call-In wish to discontinue the process.