

MID SUFFOLK DISTRICT COUNCIL

TO: COUNCIL	REPORT NUMBER: MC/18/54
FROM: The Monitoring Officer	DATE OF MEETING: 18 March 2019
OFFICER: Jan Robinson, Corporate Manager – Democratic Services	KEY DECISION REF NO. CNL30

CHANGES TO THE CONSTITUTION

1. PURPOSE OF REPORT

- 1.1 This report seeks approval from full Council to adopt the changes to the Constitution recommended by the Constitution Working Group in consultation with the Monitoring Officer and Deputy Monitoring Officer.

2. OPTIONS CONSIDERED

- 2.1 It is a statutory requirement under the Local Government Acts 1972 and 2000 (as amended) for all Local Authorities to have in place and maintain an updated Constitution.

3. RECOMMENDATION

- 3.1 That Council considers whether it wishes to adopt all or part of the recommended changes of the Constitution Working Group as set out in Appendix B of the report.

REASON FOR DECISION

To enable the Council to meet its obligations under the Local Government Act 1972 and 2000 (as amended) to have in place and maintain an updated Constitution.

4. KEY INFORMATION

- 4.1 Mid Suffolk District Council agreed to adopt a Leader /Cabinet model of governance at its meeting in December 2016.
- 4.2 Following the implementation of this Model of Governance in May 2017 it has become apparent that further changes were needed to the Constitution to ensure the smooth running of the Council and to iron out some of the anomalies that have arisen from the change from a Committee System model style of governance to a Leader/Cabinet model.
- 4.3 The Schedule attached at Appendix A details the suggested changes made to the Constitution.

5. LINKS TO JOINT STRATEGIC PLAN

- 5.1 The core of an Enabled and Efficient organisation is Good Governance. The Constitution is a key document reflecting the strength of our Governance.
- 5.2 It is recognised that the purpose of the Constitution is to set out clearly how the Council operates, how decisions are made and the procedures it follows to ensure it is well organised, transparent and accountable to local people.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial consequences of adopting these revisions to the Constitution.

7. LEGAL IMPLICATIONS

- 7.1 The Local Government Acts 1972 and 2000 (as amended) require all Local Authorities to have in place and maintain an updated written Constitution.
- 7.2 A Local Authority must prepare and keep up to date a document (referred to as its Constitution), which contains –
- (i) a copy of the authority's Standing Orders (to govern the general function of that authority),
 - (ii) to maintain Contract Standing Orders,
 - (iii) a copy of the authority's Code of Conduct for Members (under section 28 of the Localism Act 2011),
 - (iv) such information as the Secretary of State may direct, and
 - (v) such other information (if any) as the Authority considers appropriate.

8. RISK MANAGEMENT

- 8.1 The key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
It is a high risk not to regularly review the Constitution and ensure it reflects current practice and Legislation	Unlikely - 2	Bad - 3	The Monitoring Officer will ensure that the Council will keep its Constitution under regular review and amend it, both to reflect experience and changing circumstances.

9. CONSULTATION

- 9.1 A cross party working group has worked with the Monitoring Officer and Deputy Monitoring Officer to formulate the proposed changes.

10. EQUALITY ANALYSIS

10.1 There are no equality or diversity implications arising directly from this report. An Equality Impact Assessment (EqIA) is not required.

11. ENVIRONMENTAL IMPLICATIONS

11.1 There are no environmental implications arising directly from this report.

12. APPENDICES

Title	Location
(A) Schedule of amendments	Attached
(B) Full copy of the proposed amendments to the Constitution	Available on the website as a supplement to the agenda – paper copies available on request and at the meeting

13. BACKGROUND DOCUMENTS

The existing version of the Constitution can be found here:

[Insert link](#)