

Annual Meeting of the Council – 20th May, 2010

Report of the Director of Corporate Resources

Constitution and Scheme of Delegation

Purpose of Report

1. To seek the Council's affirmation of the Constitution and Scheme of Delegation for the 2010/11 municipal year.

Background

2. The Council's Constitution prescribes that the Scheme of Delegation shall be agreed at the Annual Meeting.
3. The Scheme of Delegation, as set out in Part 3 of the Constitution, was first approved at the meeting of the Council held on 29th April, 2002. The Council has approved a number of amendments to the Constitution since then.
4. The Constitution requires frequent updating to reflect changes in legislation and Statutory Instruments, Regulations and Guidance issued under various statutory provisions. As the Council's Monitoring Officer, I maintain the Constitution and ensure that it is widely available for consultation by members, staff and the public. The current Constitution is available on the [Council's Website](#). A full copy of the Constitution is also available for inspection in the Member's Room and from the Democratic Services Section (Tel: 01384 815235).
5. On 22nd February, 2010, the Council agreed, amongst other things, that all references in the Constitution to the post of Director of Finance be deleted and replaced with reference to the new post of Treasurer, with effect from the date of the appointment of an Officer to that substantive post. I was given delegated powers to make any further direct or consequential amendments to the Constitution arising from the remodelling of Council Services and Structures and the formation of the Directorate of Corporate Resources.
6. Ongoing consideration is being given to the allocation of functions within the new Directorate of Corporate Resources, which will inevitably involve some amendments to the current onward delegations. On detailed examination, there are some instances where it may not be appropriate to simply substitute the Treasurer for the Director of Finance owing to the proposed allocation of functions in the new

Directorate. The Council is therefore requested to confirm that I be authorised to make any changes that are necessary in this regard to ensure that proper delegations are in place for the appropriate officers to discharge their functions.

Finance

7. The financial implications arising from the adoption and maintenance of the Council's Constitution are met from within existing resources.

Law

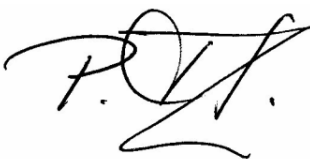
8. The relevant statutory provisions regarding the Council's Constitution are contained in Part II of the Local Government Act, 2000, together with Regulations, Orders and Statutory Guidance issued by the Secretary of State.

Equality Impact

9. This report has no direct implications for the Council's policies with regard to equality and diversity. The Council's Constitution sets out the arrangements made by the Council for the proper discharge of all of its powers, duties and functions, including those relating to equality and diversity and in respect of children and young people.

Recommendations

10. That the Constitution and Scheme of Delegation be reaffirmed for the 2010/11 municipal year.
11. That the Director of Corporate Resources be authorised to make any necessary and consequential amendments to the Constitution arising from the decisions made at this meeting, including any necessary revisions to Part 3 of the Constitution (responsibility for functions).
12. That all existing references in the Constitution to statutory provisions be taken to include any subsequent legislation, Statutory Instruments, Regulations, Orders or Guidance issued under those statutory provisions.
13. That the Director of Corporate Resources be authorised to make amendments to the Constitution that are related to the substantive appointment of the Treasurer and to amend all onward delegations associated with the formation of the Directorate of Corporate Resources as necessary.



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Philip Tart
Director of Corporate Resources