

Annual Meeting of the Council – 21st May, 2009

Report of the Interim Director of Law and Property

Constitution and Scheme of Delegation

Purpose of Report

1. To seek the Council's affirmation of the Constitution and Scheme of Delegation for the 2009/10 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 Internet website www.dudley.gov.uk. A full copy of the Constitution is also available for inspection in the Member's Room and from the Democratic Services Section (Tel: 01384 815236).

Finance

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

Law

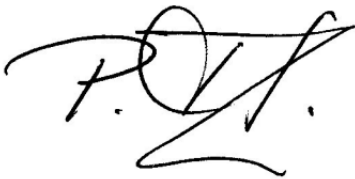
6. The relevant statutory provisions regarding the Council's Constitution are contained in Part II of the Local Government Act, 2000, together with Regulations, Orders and Statutory Guidance issued by the Secretary of State.

Equality Impact

7. 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

8. That the Constitution and Scheme of Delegation be reaffirmed for the 2009/10 municipal year.
9. That the Interim Director of Law and Property be authorised to make any necessary and consequential amendments to the Constitution arising from the decisions made at this meeting and to make any necessary revisions to Part 3 of the Constitution (responsibility for functions).
10. 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.



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Philip Tart
Interim Director of Law and Property

Background Papers

The Council's Constitution.

ARTICLE 4 - THE FULL COUNCIL

4.01 **Meanings**

(a) **Policy Framework**

The Policy Framework means the following plans and strategies:-

Best Value Performance Plan

Children and Young People's Plan

Council Plan

Crime and Disorder Reduction Strategy

Development Plan Documents which comprise the Development Plan

Food Law Service Plan

Licensing Authority Policy Statement

Local Area Agreement

Local Transport Plan

Sustainable Community Strategy

Youth Justice Plan