

Report to Council

Subject: Approval of a New Constitution

Date: 3 March 2022

Author: Head of Governance and Customer Services

Wards Affected

All

Purpose

For Council to approve the newly re-written version of Gedling Borough Council's Constitution.

Key Decision

This is not a key decision.

Recommendation(s)

That Council;

- 1) Approves the new version of the Constitution at appendix 1.**

1 Background

- 1.1 Members will recall that the attached report (Appendix A) was presented to the Council meeting on 26 January 2022 recommending approval of the amended Constitution. In view of the operation of Standing Order 29, consideration of the report was adjourned without discussion to the next ordinary meeting of the Council.

2 Proposal

- 2.1 It is proposed that Council approves the updated Constitution at Appendix 1 to this report. Any necessary amendments to Non-Executive delegations will be reported to relevant Committees following approval of this document.

- 2.2 Following on from approval, it is proposed that training in relation to the new Constitution, in particular the amended rules, is provided to officers.

3 Alternative Options

- 3.1 Members could determine not to approve the amended constitution, however the changes have been made in consultation with officers and the Member Working Group and are considered to be necessary to ensure the Constitution is accurate and fit for purpose.

4 Financial Implications

- 4.1 There are no direct financial implications associated with this report. The new Constitution would, however, introduce a new and updated set of Financial Regulations which would have a positive impact on financial management.

5 Legal Implications

- 5.1 The Local Government Act 2000, requires a local authority to prepare and keep up to date its constitution. The constitution must contain:

- The standing orders/procedure rules
- The Member's Code of Conduct
- Such information as the Secretary of State may direct (eg Member's Allowance Schemes, details of procedures for meetings) ;
- Such other information as the authority considers appropriate.

The Local Government Act 1972, the Localism Act 2011, and local Government Acts and Regulations made prescribe the governance arrangements for local authorities in considerable detail. The new Constitution has been prepared in accordance with all relevant legislation to ensure the authority does not act outside its powers or ultra vires.

6 Equalities Implications

- 6.1 The review of the constitution has resulted in the document being reformatted into an easier to follow layout which is more compliant with the Web Content Accessibility Guidelines, an internationally recognised set of recommendations for improving web accessibility.

7 Carbon Reduction/Environmental Sustainability Implications

7.1 No direct implications as a result of this report.

8 Appendices

8.1 Appendix A: Report to Council 26 January 2022

Appendix 1: The new constitution

Appendix 2: Executive Summary of Changes

9 Background Papers

9.1 None identified

10 Reasons for Recommendations

10.1 To ensure that the Council's constitution is as robust and up to date as possible which in turn contributes to effective governance processes.

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer