

PROPOSED AMENDMENTS TO THE CONSTITUTION

Report of the Strategic Head of Service & Monitoring Officer (Legal and Democratic Governance)

1. INTRODUCTION AND PURPOSE OF REPORT

- 1.1 Following the last meeting of the committee on 23 September 2021 the Monitoring Officer was requested to prepare a more detailed report on the areas of the constitution that she had outlined for amendment in the report that was considered at the meeting on 23 September 2021.

2. BACKGROUND

- 2.1 The Monitoring Officer would like to propose the following amendments to the constitution:-

- 2.1.1 Definitions contained in Scheme of Delegation – Part 3 Section 8 Officer Functions (page 91). Many of the definitions contained in this section of the constitution are out of date and therefore a revision is recommended of the following job titles/descriptions:-

- Corporate Director for People – remove and replace with Corporate Director for Adult's Services and Corporate Director for Children's Services (as appropriate);
- Borough Treasurer – remove and replace with Section 151 Officer;
- Director of Integrated Commissioning – remove and replace with Service Director – Strategy and Commissioning;
- Corporate Director for Place Management and Regeneration – remove and replace with Corporate Director for Place;
- Deputy Director – remove and replace with Service Director; and
- Deputy Chief Executive – amend to each relevant Deputy Chief Executive where necessary (e.g. regarding Estates Management).

- 2.1.2 Council Meeting Procedure Rules – PR 1 (page 193). Clarification be added that the informal Council Meeting (if needed) is held in private in order to preserve its purpose of avoiding disagreement at the ceremonial Annual Council Meeting.

- 2.1.3 Contract Procedural Rules – (PR 6 (page 251)) these are currently being reviewed by officer representatives of the 4 STAR authorities with a view to agreeing a consistent set of procedure rules. The draft will be brought to this committee as soon as possible.

- 2.1.4 Financial Procedure Rules – (PR 5 (page 231)) the majority of the amendments to these procedure rules will depend upon the amendments to the Contract Procedure Rules.

- 2.1.5 Councillors Code of Conduct – (Part 5 - CP1 (page 297)) a new voluntary model code of conduct has been issued by the LGA. This needs to be referred back to the council's Standards Committee following the meeting at the end of September 2021 with all of the Greater Manchester Chief Legal Officers (to ascertain whether a GM consistent approach is required) to decide whether to adopt this voluntary code or wait to see if the Government makes any new primary legislation to invoke a mandatory code.
- 2.1.6 Mayoralty – CP10 – Nominations of Mayor and Deputy Mayor (page 368). It would be useful if an addition could be made that nominations be received in writing from each Group Leader by the Chief Executive prior to 30 September each year.
- 2.1.7 Update to Channel Panel as per request from Cabinet Office – there is a statutory duty to ensure that the requirements of the Channel Panel should be reflected in relevant local policy, guidance and the local authority's constitution. It is recommended that this statutory duty be designated to one of the Corporate Directors in the Scheme of Delegation in the council's constitution.

3. CONCLUSIONS AND RECOMMENDATIONS

- 3.1 That the committee review the above proposals and agree the way forward in relation to the proposed amendments as regards taking them forward through the governance process.

BACKGROUND PAPERS

There are none

Anyone wishing to inspect the above background papers or requiring further information should contact Vicki Bates on Tel: 0161 474 3219 or by email on vicki.bates@stockport.gov.uk