



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

# Constitution Committee

25 April 2022

Report by Councillor Linda Wootten, Cabinet Member for Corporate Governance and Licensing



## Review of the Council's Constitution

This report provides the Constitution Committee with an update on the review of the Council's Constitution and an opportunity to formally recommend new Parts of the document entitled 'Part 1 – Summary and Explanation' and 'Part 2 – Articles of the Constitution' to Full Council for approval.

### Report Author

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Corporate Priority:	Decision type:	Wards:
<b>A High Performing Council</b>	<b>Governance</b>	<b>All Wards</b>

<b>Reviewed by:</b>	Lucy Bonshor (Democratic Services Officer)	11 April 2022
<b>Approved by:</b>	Alan Robinson (Deputy Chief Executive and Monitoring Officer)	11 April 2022
<b>Signed off by:</b>	Councillor Linda Wootten (Cabinet Member for Corporate Governance and Licensing)	12 April 2022

### Recommendation (s) to the decision maker (s)

**That Constitution Committee:**

- Notes progress to date in respect of the comprehensive review of the Council's Constitution.**
- Recommends Parts 1 and 2 to Full Council for approval.**

# **1 The Background to the Report**

- 1.1 At its meeting on 30 September 2021, Full Council agreed to undertake a review of the Constitution, based upon a new format consisting of the following parts:
- 1) Summary and Explanation
  - 2) Articles of the Constitution
  - 3) Responsibility for Functions
  - 4) Rules of Procedure
  - 5) Codes and Protocols
  - 6) Members' Allowances Scheme
  - 7) Management Structure
- 1.2 The Council agreed that the Constitution would be reviewed in sections, commencing with Part 3 – Responsibility for Functions, which sets out the Council's scheme of delegation.
- 1.3 At its meeting on 27 January 2022, Full Council approved the new Part 3 – Responsibility Functions section of the Constitution and agreed that the following sections should be reviewed next:
- Part 1 – Summary and Explanation
  - Part 2 – Articles of the Constitution

## **2 Part 1 (Summary and Explanation) and Part 2 (Articles of the Constitution)**

- 2.1 At the last meeting of the Constitution Committee, the working papers associated with the review of Parts 1 and 2 of the Constitution were presented for consideration, where a number of amendments or changes were suggested.
- 2.2 These amendments and changes were made to the documents which were then circulated to all Members of the Council as part of an invitation to join a range of workshops to go through the documents in further detail.
- 2.3 Three workshops were held at 10am, 2pm and 6pm on 23 March 2022 with 16 Members attending in total. Some further amendments and changes were proposed at the workshop sessions which have also been reflected in the latest version of the two documents. These were typographical, grammatical or formatting amendments which did not substantially change the content of the respective Parts.
- 2.4 A final version of Part 1 (Summary and Explanation) and Part 2 (Articles of the Constitution) are therefore appended to this report for consideration.
- 2.5 Work is currently taking place to review the various Procedure Rules contained within Part 4 of the Constitution, using the same principles of the Parts already reviewed in terms of engagement with Members and transparency in respect of working documents. Initial engagement with key Members and Officers has commenced in respect of these documents and a further update on progress will be presented to Members at the meeting.
- 2.6 It is envisaged that further informal workshops will be set up later this month to facilitate engagement with Members on Part 4 of the Constitution to assist development of the associated Procedure Rules.

### **3 Financial Implications**

3.1 There are no financial implications arising from this report.

**Financial Implications reviewed by: Richard Wyles, Chief Finance Officer**

### **4 Legal and Governance Implications**

4.1 There are no legal and governance implications arising from this report.

**Legal Implications reviewed by: Graham Watts, Assistant Director of Governance and Deputy Monitoring Officer**

### **5 Equality and Safeguarding Implications**

5.1 There are no equality or safeguarding implications arising from this report.

### **6 Risk and Mitigation**

6.1 The Council's Constitution is the principal document setting out how the Authority operates, how decisions are made and the procedures which are followed. It is essential, therefore, that the document is easy to follow, understand and interpret which this review seeks to achieve.

### **7 Appendices**

7.1 Appendix A – Part 1 (Summary and Explanation)

7.2 Appendix B – Part 2 (Articles of the Constitution)