

<b>Subject:</b>	Annual Review of the Constitution		<b>Status:</b>	For Publication	
<b>Report to:</b>	Annual Council		<b>Date:</b>	20 <sup>th</sup> May 2016	
<b>Report of:</b>	Monitoring Officer		<b>Portfolio Holder:</b>	Legal and Democratic Services	
<b>Key Decision:</b>	No - reserved for Council	Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>	
<b>Equality Impact Assessment:</b>		Required:	No	Attached:	No
<b>Biodiversity Impact Assessment</b>		Required:	No	Attached:	No
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1.	<b>RECOMMENDATION(S)</b>
1.1	That the Council adopts the Constitution for the 2016/17 Municipal Year.
1.2	That members agree to amend the Constitution as detailed in Appendix A, and consult with the Independent Remuneration Panel on the proposal to split the special responsibility allowance of the Chair of Licensing between the Chair and Vice-chair and remove the one off payments of £150 to the Vice-chair.

## 2. PURPOSE OF REPORT

- 2.1 To agree the Constitution for the 2016/17 Municipal Year.
- 2.2 The purpose of the Constitution is to:
- Enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations.
  - Support the active involvement of citizens in the process of local authority decision-making.
  - Help scrutinize represent their constituents more effectively.
  - Enable decisions to be taken efficiently, effectively and transparently, with due regard to probity and equity.
  - Create a powerful and effective means of holding decision makers to public account.
  - To ensure that no one will review or scrutinize a decision in which they were directly involved.
  - Ensure that those responsible for decision-making are clearly identifiable to local people and that they explain the reasons for decisions.
  - Provide a means of improving the delivery of services to the community.
- 2.3 To seek member approval to amend the Constitution as detailed in Appendix A and to consult with Independent Remuneration Panel regarding the special responsibility allowance proposals.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following of the Council's corporate priorities:
- Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.

#### **4. RISK ASSESSMENT IMPLICATIONS**

- 4.1 All the issues raised and the recommendation in this report involve risk considerations as set out below:
- Failure to maintain and follow an up-to-date Constitution risks legal proceedings being taken against the Council, and risks members of the community being dissatisfied with the action of the Council.

#### **5. BACKGROUND AND OPTIONS**

- 5.1 The Council agreed amendments to the Constitution in February 2016, this included amendments agreed under delegated authority regarding the changes to the senior management structure. Minor amendments under delegated authority were also made at this time relating to incorrect post titles, incorrect contact details or incorrect information. There have been no further changes made to the Constitution since.
- 5.2 A link to the amended version of the Constitution was circulated to all councillors and managers on 26<sup>th</sup> April, a copy of which can be found at the following link:  
[www.rossendale.gov.uk/constitution](http://www.rossendale.gov.uk/constitution)
- 5.3 Members are asked to agree the Constitution with the addition of the proposed changes detailed in Appendix A.
- 5.4 At present the Licensing Committee meets three times a year as a full committee, in addition to meeting as necessary through sub committees to deal with hearings and taxi licensing applications.
- 5.5 The changes proposed split the duties between the Chair and Vice-chair. The Chair will act as chairperson at full licensing committees as well as liaise and attend meetings as appropriate with the licensing officers, and the Vice-Chair will act as chairperson at licensing sub-committees.
- 5.6 At present a special responsibility allowance of £3342 is available to the Chair of Licensing with individual payments of £150 per meeting if the Vice-chair is required to chair any of the committee meetings or sub-committees. It is proposed to split the allowance equally between the Chair and Vice-chair (£1671 each) and remove the one off payments to the Vice-chair.
- 5.7 Therefore, in addition to agreeing the Constitution changes, members are asked to consult the Independent Remuneration Panel regarding making the proposed changes to the special responsibility allowance.

#### **COMMENTS FROM STATUTORY OFFICERS:**

#### **6. SECTION 151 OFFICER**

- 6.1 Any financial implications arising will be contained within existing budgets.

#### **7. MONITORING OFFICER**

- 7.1 All legal implications are commented upon in the body of the report.

#### **8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

- 8.1 There are no Human Resource implications arising from the report.
- 8.2 Consultation with statutory officers, legal officers, Committee and Member Services and elected members.

## 9. CONCLUSION

- 9.1 The Council is required by law to implement a Constitution and agree the contents on an annual basis.

Background Papers	
Document	Place of Inspection
The Constitution of the Council	<a href="http://www.rossendale.gov.uk/constitution">www.rossendale.gov.uk/constitution</a>