

# STANDARDS COMMITTEE

## 15<sup>TH</sup> DECEMBER 2015:

### CONSTITUTION

**Cabinet Member** Cllr Clive Eginton  
**Responsible Officer** Head of Communities & Governance (Monitoring Officer)

**Reason for Report:** To present Members with the updated Constitution and for them to consider a number of aspects before making recommendation to Full Council

**RECOMMENDATION:** That the Standards Committee reviews the updated Constitution and recommends it to Full Council for approval.

**Financial Implications:** None identified

**Legal Implications:** The Legislation listed within the Constitution and the Constitution itself has been checked by the Deputy Monitoring Officer (Solicitor)

**Risk Assessment:** It is important to ensure that the Council has a Constitution that is relevant, appropriate, fit for purpose and is legally sound.

#### 1.0 Introduction

- 1.1 A Members working group was set up and has been working drafting a revised Constitution where the content of the Mid Devon District Council Constitution has been considered alongside the Association of Council Secretaries and Solicitors (ACSES). One of the areas that the working group focused on was to make the Constitution more accessible and to improve the layout.
- 1.2 The document attached is the culmination of this work and it is recommended that the Standards Committee review the document and then recommend to Full Council for approval.

#### 2. Items for consideration

##### Petitions

- 2.1 The Constitution makes reference in several places to a Petition Scheme. The statutory petition scheme which came into force through the Local Democracy Economic Development and Construction Act 2009 was repealed by the Localism Act 2011. Therefore there is no statutory requirement to have a Petition Scheme, only arrangements relating to the Local Authorities (Referendums) (Petition) Regulations 2011. At the last Committee meeting in October it was agreed to retain a Local Petition Scheme and this has been reflected in the Constitution. Basic wording only has been left in the Council Procedure Rules with the guidance for the public proposed to be attached as Appendix D.

## **Articles relating to Scrutiny Committee, Policy Development Groups (PDGs), Audit Committee and Standards Committee**

- 2.2 At the last committee meeting it was agreed to split out former Article 6 out into separate Articles for Scrutiny Committee (Article 7), Policy Development Groups (Article 8), Audit Committee (Article 9) and Standards Committee (Article 10).
- 2.3 Another area that Members may wish to consider is the scope of the Policy Development Groups. The revision to the Corporate Plan contains four priority areas of Economy, Homes, Community and Environment – should the Policy Development Groups remit be reviewed to reflect the Corporate Plan?

### **Access to Information Procedure Rules**

- 2.4 In respect of the information relating to the meaning of exempt information within the Access to Information Procedure Rules this has been simplified within the document with the detailed table now being attached as Appendix E to the Constitution.

### **Scrutiny Procedure Rules**

- 2.5 Additional sections have been added to this section in respect of Councillor Call for Action and the Scrutiny of Crime and Disorder Matters.

### **Officer Employment Procedure Rules**

- 2.6 The current wording from the Mid Devon District Council Constitution has been added into this document and this will be revised once the situation regarding the Government changes has been confirmed.

### **Other Matters**

- 2.7 There are a number of other items noted in the Constitution for consideration by the Committee – these changes have been tracked on the document for ease of reference

**Contact for more Information:** Amy Tregellas, Head of Communities & Governance (Monitoring Officer) ext 4246