

<b>DECISION-MAKER:</b>	GOVERNANCE COMMITTEE COUNCIL		
<b>SUBJECT:</b>	ANNUAL REVIEW OF THE CONSTITUTION		
<b>DATE OF DECISION:</b>	25 APRIL 2016 (GOVERNANCE COMMITTEE) 18 MAY 2016 (COUNCIL)		
<b>REPORT OF:</b>	SERVICE DIRECTOR: LEGAL AND GOVERNANCE		
<b><u>CONTACT DETAILS</u></b>			
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#### STATEMENT OF CONFIDENTIALITY

None.

#### BRIEF SUMMARY

This report sets out the annual review of the Constitution. This will be considered and initially discussed by Governance Committee on 25th April 2016. The recommendations to both the Governance Committee and Council are included below. As ever the Constitution is a document that changes regularly and therefore further revisions may be proposed prior to or at Council.

#### RECOMMENDATIONS:

##### Governance Committee

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|  | (i) | To consider and recommend the changes to the Constitution to Council for adoption. |
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##### Council

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|  | (ii)  | to agree the changes to the Constitution and associated arrangements as set out in this report;  |
|  | (ii)  | to authorise the Service Director: Legal & Governance to finalise the arrangements as approved by Full Council and make any further consequential or minor changes arising from the decision of Council; |
|  | (iii) | to approve the City Council's Constitution, as amended, including the Officer Scheme of Delegation for the municipal year 2016/17;   |

#### REASONS FOR REPORT RECOMMENDATIONS

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| 1. | It is appropriate as a core tenet of good governance for the Council to keep its Constitution under regular review and to amend it, both to reflect experience and changing circumstances. |
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<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
2.	The Council has previously resolved to review its Constitution annually. Therefore, it is appropriate that this report is considered by Members. There are a range of recommendations set out within the report, none of which are substantial changes. Members have a range of options about various changes not least of which is to amend or reject some or all of them.
<b>DETAIL (Including consultation carried out)</b>	
<u>Officer Scheme of Delegation – Current Position and Possible Revisions</u>	
3.	Prior to this report being drafted and as part of the Senior Management restructure the Officer Scheme of Delegated Powers has been substantially revised to reflect the revised service amalgamations and changes. No new powers have been added by virtue of this alone. The revised scheme was published online on 30 <sup>th</sup> March 2016.
4.	As part of the annual review officers and Group Leaders have been consulted over what changes may be appropriate to aid business efficiency but retain overarching oversight and, where necessary, discrete consultation with the appropriate Cabinet Member or Chair.
5.	At the date of this report limited revisions have been proposed, most are points of clarity. These are all laid out, track changed, in the draft revised Constitution a link for which is listed below. Officers continue to review items such as the Financial Procedure Rules and, for example, financial thresholds within the Scheme of Delegation. If possible and practical an oral update will be given to Governance Committee on further proposals.
<u>Council Procedure Rules – Speaking at Council - Aldermen</u>	
6.	Over the past few years Council has conferred the honorary title of Alderman on several former members. Some of these now regularly wish to speak on agenda items at Council meetings whereas in the past this was rare. Currently it is left to the Mayor, as chair of the meeting, to advise on the length of time permitted on any one speech; there is nothing in the Constitution. In light of this change, which is likely to continue, it is considered appropriate to add in a specific paragraph limiting any speech on an item to 5 minutes maximum and 15 minutes at any one meeting.
<u>Access to Information Procedure Rules -</u>	
7.	Addition of para (25.1 (d) to allow confidential information to be shared with the Designated Independent Person (in respect of Members complaints under the Code of Conduct).
<u>Civic and Ceremonial Protocol</u>	
8.	Minor practical revisions have been made to the protocol to reflect the revised business support arrangements. It does not intrinsically affect the discrete support of the Mayor and Sheriff.
<b>RESOURCE IMPLICATIONS</b>	
<u>Capital/Revenue</u>	
9.	None.

<b><u>Property/Other</u></b>	
10.	None.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
11.	The Executive Arrangements and Constitution are required under the Local Government Act 2000 (as amended) and the Localism Act 2011.
<b><u>Other Legal Implications:</u></b>	
12.	None.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
13.	None.

<b>KEY DECISION?</b>	n/a
<b>WARDS/COMMUNITIES AFFECTED:</b>	None
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	Council Procedure Rules (with track changes)
2.	Access to Information Procedure Rules (with track changes)
3.	Civic & Ceremonial Procedure Rules (with track changes)
4.	Officer Scheme of Delegation (with track changes)
<b>Documents In Members' Rooms</b>	
1.	None
<b>Equality Impact Assessment</b>	
Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
<b>Privacy Impact Assessment</b>	
Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out.	No
<b>Other Background Documents</b>	
<b>Equality Impact Assessment and Other Background documents available for inspection at:</b>	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)