

REPORT TO: Executive Board

DATE: 19 March 2020

REPORTING OFFICER: Strategic Director – Enterprise, Community and Resources

PORTFOLIO: Resources

SUBJECT: Annual Review of Constitution 2020

1.0 PURPOSE OF REPORT

1.1 The purpose of the report is to seek the approval of the Council to a number of changes to the Constitution.

2.0 RECOMMENDATION: That Council be recommended to approve the changes to the Constitution including the matters set out in Appendix 1.

3.0 BACKGROUND

3.1 The revised version picks up the changes to the Council's working arrangements that have taken place during the year, as well as other changes which are intended to assist the Council to operate more effectively.

3.2 The proposals for change have been considered by the Chief Executive and the Executive Board Member for Resources in accordance with Article 16.02. Apart from the purely technical changes, the proposed amendments that are considered to be of particular significance are listed in Appendix 1 to this report.

4.0 POLICY, FINANCIAL AND OTHER IMPLICATIONS

4.1 All legislative changes have been considered. However, no further amendments, over and above those already outlined, are required at the present time. Any other required changes during the period 2020/21 will be the subject of further reports when dates and details are available.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 Children and Young People in Halton.

5.2 Employment, Learning and Skills in Halton.

5.3 A Healthy Halton.

5.4 A Safer Halton.

5.5 Halton's Urban Renewal.

The changes proposed are designed to support the continued delivery of the Council's priorities.

6.0 RISK ANALYSIS

6.1 The Council needs to ensure that its Constitution is regularly updated so that it continues to support efficient, transparent and accountable decision-making by the authority.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 None.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

None under the meaning of the Act.

Proposed Significant Changes to the Constitution

EU Exit

Changes to the list of legislation will be required following the UK's exit from the European Union. The EU Withdrawal Act 2018 applies.

Finance Standing Orders

Minor updates to align with some technical terms used elsewhere in the Constitution, for example, the Prevention of the Facilitation of Tax Evasion Policy, the Construction Industry Tax Scheme, reporting of financial irregularities and the effective collection of debt.

Standing Orders Relating to Staff – Additional power of the Appointments Committee

Following some changes to the Chief Officer Terms and Conditions nationally, Section 7 of the Standing Orders Related to Staff should be revised, to include the following text:-

“The Appointments Committee will have the power to suspend the Head of Paid Service, if suspension is deemed necessary to enable a full and fair investigation to be undertaken”.

Trading Standards, Consumer Protection and Weights and Measures Legislation

Some updates, deletions and additions to the matters listed in Part 1 of the Scheme of Delegation as it relates to Standing Order 174.

Additionally, Trading Standards will be given responsibilities for the under-age sale of acids in the Offensive Weapons Act 2019 when implemented.