


Agenda Item No:	11	
Committee:	Council	
Date:	11 May 2017	
Report Title:	Constitution Update	

1 Purpose / Summary

For Members to consider a series of updates to the Council's Constitution.

2 Key issues

- From time to time, information within the Constitution becomes out of date therefore it is important to update the document periodically.
- Various typographical amendments and updating of factual information have been completed for example - grammatical errors, updated job titles, references updated in relation to 39 Members instead of 40.
- Other more substantive changes to the Constitution are outlined in Appendix 1.

3 Recommendations

For Members to agree the changes to the Council's Constitution and delegate to the Monitoring Officer to update the master document and the Council's website.

Wards Affected	All
Forward Plan Reference	
Portfolio Holder(s)	Councillor John Clark, Leader of the Council
Report Originator(s)	Carol Pilson - Corporate Director and Monitoring Officer
Contact Officer(s)	Paul Medd - Chief Executive paulmedd@fenland.gov.uk 01354 622202 Carol Pilson - Corporate Director and Monitoring Officer cpilson@fenland.gov.uk 01354 622360
Background Paper(s)	Constitution

Appendix 1

Change 1 - to update this provision in line with changes made previously to the Officer Employment rules due to a change in legislation.

Part 2, Article 4 - The Full Council

2. Functions of the Full Council

2.1 Only the Council will exercise the following functions:-

h) approving the appointment of and dismissing of the Chief Executive and confirming the designation and dismissal of the Monitoring Officer and Chief Finance Officer;

m3) approving the Council's senior pay policy

Change 2 - to update who deputises for the Chief Executive in his/her absence.

Part 2, Article 12 - Officers

2. Management Structure

2.2 ~~The Chief Finance Officer~~ Each of the Corporate Directors will deputise for the Chief Executive in his/her absence on a monthly rotating basis. Members will be provided with a copy of the rota for reference.

Change 3 - to update this section due to changes in legislation.

Part 3, Table 2 - Responsibility for Functions

Decision Making Body	Functions
Council	Best Value Performance Plan
Council	Community Strategy

Change 4 - to update this section in line with the recommendations agreed by Cabinet following a review by Overview and Scrutiny for Cabinet to agree the Outside Body list and the appointments to them subject to political proportionality rules.

Part 3, Table 4 - Functions delegated to officers

Chief Executive

~~5. To make appointments to outside bodies in line with the apportionment of appointments made by Council, subject to consultation on the appointment with all Group Leaders, such appointments to be reported to the next meeting of Council for ratification. Any action already taken by an appointee who is not subsequently ratified by Council shall remain lawful.~~

To be replaced with:

Monitoring Officer

59a. To make appointments to outside bodies in partnership with Group Leaders as vacancies arise throughout the year

Change 5 - to update the list of Cabinet Members and their Portfolios

Part 3, Responsibilities for Functions, Appendix C
Fenland District Council Cabinet & Portfolios

Councillor John Clark	Leader of the Council
Councillor Will Sutton	Deputy Leader and Neighbourhood Planning
Councillor Chris Seaton	Finance
Councillor Peter Murphy	Environment
Councillor Ralph Butcher	Growth
Councillor David Oliver	Community Safety & Heritage
Councillor Michelle Tanfield	Leisure & Young People
Councillor Simon King	Equalities & Transport
Councillor Mike Cornwell	Communities

Change 6 - to make clear that the Deputy Leader will chair Cabinet in the absence of the Leader.

Part 4 Rules of Procedure

2. Conduct of Cabinet Meetings

2.1 Chairman

If the Leader is present, he/she shall preside at meetings of the Cabinet. In the absence of the Leader, the Deputy Leader will chair the meeting. If the Leader and Deputy Leader are not present. Cabinet will appoint a person from among those present to preside at the meeting.

Change 7 - to update the constitution in line with previous constitutional changes to allow the Chairman of Corporate Governance to come from any member of the Committee.

Part 4 Rules of Procedure

10 Corporate Governance Procedure Rules

4. Membership of the Corporate Governance Committee

4.1 There shall be a maximum of 9 members of the Council on the Corporate Governance committee with seats allocated to political groups in proportion to the number of seats held by each group on the Council as a whole. Up to three members from Cabinet and three members of the Overview and Scrutiny Panel may be members, ~~but neither of these may Chair the Corporate Governance Committee.~~