

Agenda Item No:	17	
Committee:	Council	
Date:	17 May 2018	
Report Title:	Constitutional Amendments	

1. Purpose/Summary

For Full Council to approve proposed changes to the Constitution as set out in paragraph 2.1(a) of Article 4.

2. Key Issues

- In order to comply with good principles of governance and to ensure that overall accuracy and relevance of the Constitution, it is necessary to consider periodic updates and amendments.
- This Report proposes amendments to Part 3 of the Constitution to formally introduce a new function for the Leader in relation to the Cambridgeshire and Peterborough Combined Authority. In particular, Members are asked to approve the incorporation of the Combined Authority into the Leader's Portfolio and, to take urgent decisions relating to it in the exceptional circumstances that these arise.
- The final amendment proposes minor grammatical changes to the paragraph detailing the Chief Executive's urgency powers.

3 Recommendations

The Report recommends the following amendments for approval:

Page F.13 - Part 3, Responsibility for Functions - Fenland District Council Cabinet and Portfolios

In the first line and second column of the table, the portfolio responsibilities for the Leader to be amended to include, 'Cambridgeshire and Peterborough Combined Authority'.

Page F.41 - Part 3, Responsibility for Functions - Table 5 - Functions Delegated to All Portfolio Holders

Immediately after 'All Portfolio Holders' and prior to 'Finance Portfolio Holder', a new paragraph to be inserted to read:

'The Leader

1. Delegated authority to take executive decisions on behalf of the Council in relation to matters concerning the Cambridgeshire and Peterborough Combined Authority where those decisions are considered to be urgent by the Council's Chief Executive and are therefore unable to be considered by Cabinet and/or Council.'

Page F16 - Part 3 - Responsibility for Functions - Table 4 - Functions Delegated to Officers

The current wording at paragraph 7 to be amended to read:

'7. ~~To have a general power after consultation save i~~n cases of urgency to have a general power, after consultation with the member holding the appropriate portfolio in Cabinet, or the Chairman of the relevant committee as the case may be, to deal with any matter not delegated to any other officer by statute or other legislation on which the Chief Executive considers to require a decision before the next meeting of the appropriate body within the Council.

Wards Affected	All
Forward Plan Reference	
Portfolio Holder(s)	Councillor Chris Seaton, Leader of the Council
Report Originator(s)	Carol Pilson, Corporate Director and Monitoring Officer
Contact Officer(s)	Paul Medd, Chief Executive Carol Pilson, Corporate Director and Monitoring Officer
Background Paper(s)	Fenland District Council Constitution