

17 April 2018

Subject: Annual Review of the Constitution

Report by:

Monitoring Officer

Contact Officer:

Alan Robinson

Strategic Lead for Democratic and Business
Support and Monitoring Officer

01427 676509

Alan.robinson@west-lindsey.gov.uk

Purpose / Summary:

The purpose of the report is for the Governance and Audit Committee to recommend to Council the proposed amendments to the Constitution.

The Committee are also asked to approve the amendments made to the Financial and Contract Procedure Rules, which will subsequently be noted by Council as part of the Annual Review.

RECOMMENDATION(S):

- (a) That Members note the outcome of the annual review.**
- (b) That the amendments detailed at Section 2 of the report be recommended to Council for immediate adoption and implementation.**
- (c) The revised Member Officer Protocol (formally known as the Operation of Conventions) (Part III – Codes and Protocols) – attached at Appendix 1a be recommended to Council for immediate adoption and implementation, and the Monitoring Officer be requested to promote its content at meetings of the Service Leadership Team (SLT).**
- (d) The Member Champion Role Description – attached at Appendix 2 be recommended to Council for inclusion within the Appendices of the Constitution**

- (e) That Members note Approve the amendments made to the Financial and Contract Procedure Rules – attached at Appendix 3a and 3b, and these be noted by Council as part of the Annual Review.
- (f) That the amendments detailed at Appendix 4, 4a, and 4b of the report, already approved by Council/Committee, throughout the year be noted.
- (g) That Members note the further planned work detailed at Section 4 of the report

IMPLICATIONS

Legal: The Council is required by law to prepare, and keep up to date, the Constitution.

Financial: FIN 2/19/TJB Costs to be met from existing budgets

There are only very limited financial implications as a result of making amendments to the constitution, these costs can be met from existing budgets. These relate to the resources needed to make changes to electronic records and to the limited printing costs of producing amended pages for paper copies of the Constitution.

Staffing: The Constitution sets out the manner in which staffing matters should be dealt with.

Equality and Diversity including Human Rights : None arising from this report.

Risk Assessment: Failure to amend the constitution to reflect changes could lead to a risk of legal challenge and reputational risk for the Council.

Climate Related Risks and Opportunities : None arising from this report.

Title and Location of any Background Papers used in the preparation of this report:

Accessed through WLDC website "[Meetings, agendas, minutes and reports](#)"
[Constitution of the Council | West Lindsey](#)

Call in and Urgency:

Is the decision one which Rule 14 of the Scrutiny Procedure Rules apply?

Yes

No

Key Decision:

Yes

No

1 Introduction

- 1.1 The Council is required by law to prepare and keep up to date a Constitution which explains how the Council operates, how decisions are made and the procedures which are to be followed to ensure that these are efficient, transparent and accountable to local people.
- 1.2 Article 14 of the Constitution stipulates how such a review should be conducted namely:
 - a) by observing meetings of different parts of the Member and officer structure;
 - b) by undertaking an audit trail of a sample of decisions;
 - c) by recording and analysing issues raised with Monitoring Officer by Members, officers, the public and other stakeholders;
 - d) by comparing practices in this authority with those in comparable authorities, or national examples of best practice; and
 - e) by undertaking a review of each committee's effectiveness.
- 1.3 As a comprehensive review of the Constitution was undertaken in 2011, 2014 and 2017 a number of relatively minor amendments are being proposed as detailed at Section 2 of the report.
- 1.4 Building on the successful introduction of a new Code of Conduct in May 2017, particular focus has also be given this year to ensuring the Operation of Conventions included within Section III of the Constitution is reflective of how Members and Officers engage across the Council. Further information is contained in Sections 2.5 – 2.10 of the report and the arising amended document is attached at Appendix 1(a) for adoption.
- 1.5 Officers have also worked with both the Chairmen of the Prosperous Communities and Governance and Audit Committees to review the role and rationalise the number of Member Champions. Further information is contained in Sections 2.11 – 2.13 of the report and a proposed Role Description for inclusion within the Appendices of the Constitution is attached at Appendix 2.

2. Proposed Amendments

- 2.1 In reviewing the Constitution, the actions detailed at 1.2 above have been undertaken using a variety of methods including: -
 - a) attending a variety of Committee Meetings in order to review proceedings;
 - b) collating feedback from stakeholders and interested parties, including that received in formal complaints or alleged breaches of the Code, whether upheld or not;

- c) Seeking the views of Senior Officers and Team Managers who work within the Constitution;
- d) Surveying Members as to the effectiveness of the Committees to which they are appointed;
- e) Reviewing other “fourth-option” Council’s Constitutions; and
- f) Holding workshops to focus on particular sections within the Constitution

2.2 This has resulted in several, yet the majority minor, amendments having been made throughout Part IV . This revised chapter with the changes “tracked” has been appended to the report.

2.3 Arising from the feedback received / issues identified the following additions/ amendments are proposed to come into immediate effect.

2.4 The Table below sets out the main proposed amendments for consideration along with the rationale for each. Those highlighted as green support the Council’s commercial agenda whilst those highlighted red are deemed to be greater than “house-keeping” style amendments.

Ref	Section /Page Ref	Amendment required	Reason for Amendment
1	Part IV Page 1 – Council - Terms of Reference	To ADD a NEW term of reference to appear as No. 24 as follows “to adopt neighbourhood plans following a successful referendum”	For transparency and to reflect current practice.
2	Part IV Page 3 – Corporate Policy and Resources Cttee – Terms of Reference	To ADD a NEW term of reference to appear as No. 11 as follows “approving the creation of any new legal entity and appointments of directors or other statutory officers onto the Board of the legal entity” (Note existing 11 becomes 12 as a result) To AMEND existing No.11 to read “approval of the business plans of any wholly owned, companies, joint ventures or other legal entity in which the Council has an interest.” As opposed to “Approval of annual business plans and accounts for the Group Holding Company and its individual subsidiaries”. (Note remainder of paragraph to be re-numbered as a result)	To more accurately reflect the various ways in which Council is operating and who is responsible for approving such. Better Reflects the Council’s move towards creating more entities to deliver the commercial/development strategy
3	Part IV Page 5 – Prosperous Communities Cttee Terms of Reference	To ADD a NEW term of reference as follows “5 (u) Cemeteries and Bereavement services”	The Crematorium is now an approved project. It is proposed that responsibility for its development and running should be within the remit of PC Cttee as it is considered this should be treated like a community asset going forward as is with the Leisure Centre, for example.
4	Part IV Page 5 – Prosperous Communities Cttee Terms of Reference	To ADD a new term of reference as follows “new number 6 - The Prosperous Communities Committee is responsible for overseeing an effective partnership approach throughout the Council. The Prosperous Communities Committee is responsible for approving protocols, delegations, including frameworks to inform decisions around partnership engagement. The Prosperous	To mirror the requirements of financial procedure rules and to ensure robustness, transparency and clarity

Ref	Section /Page Ref	Amendment required	Reason for Amendment
		<p>Communities Committee is the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs. (where there is a financial implication this will need to be considered by the Corporate Policy and RESOURCES Committee)</p> <p>(Note remainder of paragraph to be re-numbered as a result)</p>	
5	Part IV Page 10 – Licensing Cttee – Terms of Reference	<p>To ADD additional wording to No.3 so that it reads “Exercising the Council’s functions as licensing authority under the relevant sections of the Gambling Act 2005, associated regulations and the delegations set out in appendix 1 of the Gambling Policy (Statement of Principles)”</p> <p>To ADD the following footnote “Note: Any Member wishing to serve or substitute on this Committee must have undertaken such training as deemed appropriate by the Monitoring Officer, and as a minimum, within the previous two years of the date of the meeting.”</p>	<p>On the request of the Licensing Manger for the avoidance of doubt and to mirror the wording used in relation to the Licensing Act.</p> <p>Omitted in error previously. This is an accepted practice for the Licensing and Regulatory Committees and Sub-Committees.</p>
6	Part IV Page 13 – Regulatory Sub-Cttee – Terms of Reference	To ADD two NEW terms of reference as follows “ (n) Performing Animals and (o) Hypnotism”	On the request of the Licensing Manger. For the avoidance of doubt. Although these areas are unlikely to arise, all licensing matters are now covered within the list.
7	Part IV Page 14 – Licensing Sub-Cttee – Terms of Reference	To AMEND (c) by ADDING the words “and not withdrawn” at the conclusion.	On the request of the Licensing Manger. For the avoidance of doubt

Ref	Section /Page Ref	Amendment required	Reason for Amendment
		<p>To ADD a NEW term of reference as follows “(s) To make decisions relating to Personal Licences where the Authority becomes aware that a person has been convicted of a relevant or foreign offence, or been required to pay an immigration penalty after the licence was granted ”</p>	<p>On the request of the Licensing Manger and Legal Services With effect from 6 April 2017 the Police and Crime Act gave licensing authorities the new power to revoke or suspend personal licences in relation to relevant foreign offences, or having been required to pay an immigration penalty The Licensing sub-committee have a range of delegated powers to deal with alcohol licences but this new power to revoke requires a new delegation. Furthermore in accordance with the legislation, the decision to suspend or revoke a licence for these reasons must only be made by a licensing committee or sub-committee, therefore this new function has been delegated to committee rather than an officer.</p>
8	Part IV Page 27 – Executive Directors	<p>To ADD a NEW delegation namely, “to make minor house-keeping amendments to any such policy as agreed by the relevant Policy Committee on its adoption”</p> <p>To ADD a new delegation namely “ to ensure compliance with all adopted policies and procedures”</p> <p>(note page renamed as a result of change in management structure)</p>	<p>This is a practice which is regularly used and agreed by Committee but not currently documented within the Constitution</p>
9	Part IV Page 30 – Director of Resources	<p>To AMEND No.4 to read “to write of debt up to £2,500” as opposed to</p>	<p>The current debt write of figure is considered too low.</p>

Ref	Section /Page Ref	Amendment required	Reason for Amendment
	(Chief Finance Officer) Delegations	“to write of debt up to £1,500	
10	Part IV Page 31 – Director of Resources (Chief Finance Officer) Delegations	To AMEND No. 7 and 15 by DELETING the following words “ (Limits on delegation: On the advice of the Chief Executive “ and “ (Limits on delegations: Following consultation with the Chief Executive).” Respectively.	The Post of Chief Executive no longer exists and alternative consultation requirements are not considered necessary in undertaking these delegated functions.
11	Part IV Page 31 – Director of Resources (Chief Finance Officer) Delegations	To AMEND No.23 to read “To deal with renewals of applications under 19 and 22 above unless there is a change of circumstances” as opposed to “To deal with renewals of applications under 7 above unless there is a change of circumstances”	This is a drafting error as 7 relates to insurance and therefore does not relate. Having checked with the Revenues Team Manager this should in fact read 19 and 22 above.
12	Part IV Page 31 – Director of Resources (Chief Finance Officer) Delegations	To AMEND No.25 by DELETING the word “initial”	Officers do not make an initial assessment they are responsible for the whole assessment process.
13	Part IV Page 32 – Director of Resources (Chief Finance Officer) Delegations	To AMEND No.30 by DELETING the words “and any other financial organisation where the mortgagor account has not been conducted satisfactory”	The Council no longer has any mortgagees – the last remaining account was repaid in 2017.
14	Part IV Page 32 – Director of Resources (Chief Finance Officer) Delegations	To AMEND No.32 by ADDING the words “ per subsidiary company” at the conclusion.	For clarity/ avoidance of doubt
15	Part IV Page 32 – Director of Resources (Chief Finance Officer)	To ADD a NEW No.33 namely “To authorise the forming of a partnership arrangement where the value of works/services is no more than £25k	This ensures consistency with the contents of Part V – FPR/CPR as agreed by G and A Committee

Ref	Section /Page Ref	Amendment required	Reason for Amendment
	Delegations	(note existing 33 becomes 34 as a result)	
16	Part IV Page 32 – Director of Resources (Chief Finance Officer) Delegations	To ADD a NEW No.35 namely “To approve amendments to the Capital Programme up to £25k” To ADD a NEW No.36 namely “To authorise grants up to £50k” and To ADD a NEW No.37 namely “To authorise spend of up to £50k from Earmarked Reserves” (Note existing 34 becomes 38 as a result)	This ensures consistency with the contents of Part V – FPR/CPR as agreed by G and A Committee
17	Part IV Page 33 - Director of Resources (Chief Finance Officer) Delegations – Monitoring Officer	To ADD a new delegation namely; “to make, under Section 91 of the Local Government Act 1972, temporary appointments of members to town and parish councils following consultation with the Chairman of the Governance and Audit Committee” “Furthermore, use of this delegation will be reported to the Governance and Audit Committee for information”	A Town/Parish council must be quorate in order to operate. A quorum is defined as being one third of the membership of the relevant Council subject to there being a minimum of three. There may be occasion when, due to lack of candidates for vacancies, at whole council elections or through casual vacancies the town/parish council is not able to operate. This delegation would prevent such circumstances arising
18	Part IV Page 34 – Chief Operating Officer Delegations – Public Protection	To AMEND No.1 by ADDING the words “grant, make and amend” in order that the amended paragraph reads “To decide, approve, determine, consider representations and applications, grant , vary, issue, relax, refuse, revoke, suspend, withdraw licences, make and	On request of the Licensing Services Manager and following advice From Lincs Legal.

Ref	Section /Page Ref	Amendment required	Reason for Amendment
		<p>amend licence conditions, registrations, certificates, permits, awards and authorisations in relation to the following legislation listed in section. 3.</p> <p>To AMEND No.3 by</p> <ul style="list-style-type: none"> • DELETING “The Dogs Act 1906 as amended by the Local Government Act 1988” from the list • ADDING “Local Government Act 1972 s101 Lotteries” to the list • The Gambling Act 2009 be amended to read 2005 within the list 	<p>On request of the Licensing Services Manager</p> <p>Previous drafting error.</p>
19	Part IV Page 36 – Chief Operating Officer Delegations – Public Protection	<p>To DELETE No.5 namely: -</p> <ol style="list-style-type: none"> 1. “To appoint, authorise, nominate, suitably qualified named persons or organisations to: <ol style="list-style-type: none"> a) Administer, exercise powers, give direction, exercise the powers of entry, agree notices, act, take enforcement action including prosecutions, serving notice, carrying out work in default, including cost recovery b) Act as inspectors c) Act as a competent person d) Act in a statutory role e) Administer the provisions f)) Determine confidential matters <p>Under the provisions in the acts, regulations, and any associated orders and regulations listed in paragraph 3 below.</p>	<p>The list of functions at (a)- (f) is identical to those set out earlier in the same Section of the Constitution at Paragraph 2.</p> <p>The two pieces of legislation referred to are already included in the list of legislation contained in the same Section of the Constitution at Paragraph 2.</p> <p>It is therefore likely that this repetition is a result of a drafting error in a previous version. The erroneous paragraph numbers referred to seem to support it having been included twice in error.</p>

Ref	Section /Page Ref	Amendment required	Reason for Amendment
		<p>The powers in paragraph 2 above apply to the following legislation: Anti-Social Behaviour Act 2003 Anti-Social Behaviour, Crime and Policing Act 2014”</p> <p>be removed</p>	
20	Part IV Page 36 – Chief Operating Officer Delegations – Public Protection/Licensing	<p>To ADD a NEW delegation to appear as No.6 as follows “In relation to hackney carriage and private hire vehicles – to determine applications for a short term exemption (3months) on medical grounds for drivers who cannot fulfil duties under the Equality Act (note longer terms exemptions will need to be consider by the Regulatory Sub-Committee”</p> <p>To ADD a NEW delegation to appear as No.7 as follows “Licensing Act 2003 - Delegated Authority be granted to Head of Paid Service to dispense with the need for a hearing when relevant representations are made in relation to the determination of a premises licence 18(3), variation of a premises licence 35(3), determination of a club premises certificate 72(3), and variation of a club premises certificate 85(3) and prior to the hearing the relevant representation(s) are subsequently withdrawn, and the authority, the applicant, and each person who has made such representation(s) agree that the hearing is unnecessary.</p> <p>Sections 18(4)(a), 18(4)(b), 35(4)(a), 72(4)(a)(b) and 85(4)(a) apply as the necessary steps to deal with the application; to promote the licensing objectives and add/modify conditions.”</p>	<p>On the request of the Licensing Manager and to reflect new legislation.</p> <p>On the request of the Licensing Manager and following detailed consultation with Lincs Legal Services.</p> <p>Currently there is no provision to allow Hearings not to proceed once representations have been received even if subsequently all parties indicate they are happy to accept the conditions requested. This has resulted in a number of Hearings being held lately which, if we adopted this provision could have been dealt with more efficiently. The Chair of the relevant Committee has been consulted and agrees such cases do not need to be heard by Committee.</p>

Ref	Section /Page Ref	Amendment required	Reason for Amendment
			A number of other Local Authorities have adopted a similar approach in order to avoid having to hold unnecessary hearings.
21	Part IV Page 37 – Chief Operating Officer Delegations – Development Management Page 38	<p>To AMEND No. 1 (a) (ii) by ADDING the words “and the planning matters raised are directly” so that the paragraph reads “The representation and the planning matters raised are directly relevant to the application under consideration”</p> <p>To AMEND No.1 (b) as set out below</p> <p>“The application has been subject to a request by a Councillor, made during the formal 28 day consultation period, and is supported by planning policies and other material planning considerations that are directly relevant to the application being considered, to have it determined by the Planning Committee for one of the following reasons;”</p> <p>To ADD the word “relevant” to b(ii) so it reads “relevant planning policy”</p> <p>To REMOVE the following words from (i) “(NB this will only come into force once the Central Lincolnshire Local Plan is adopted as part of the development plan for West Lindsey)”</p>	<p>Request of Planning Services Manager as revised wording is considered clearer/ better reflect requirements</p> <p>Request of Planning Services Manager as revised wording is considered clearer/ better reflect requirements</p> <p>Request of Planning Services Manager as revised wording is considered clearer/ better reflect requirements</p> <p>The Local Plan has now been adopted and therefore this reference is no longer required.</p>
22	Part IV Page 41-43 –	To REMOVE delegations 4 – 18 and INSERT the following new	On the request of the Housing and

Ref	Section /Page Ref	Amendment required	Reason for Amendment
	Chief Operating Officer Delegations – Housing Enforcement	<p>delegations</p> <p>“4 To decide, approve, determine, consider representations and applications, vary, issue, relax, refuse, revoke, suspend, withdraw licences, licence conditions, registrations, certificates, permits, awards and authorisations in relation to the following legislation listed in section 5 below.”</p> <p>Current delegation 19 would remain as new number 5 and the following legislation ADDED</p> <ul style="list-style-type: none"> Anti-Social Behaviour, Crime and Policing Act 2014 Landlord and Tenant Act 1985 Public Health Act 1936 The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014 Housing Act 1985 Housing Act 2004 Environmental Protection Act 1990 Landlord and Tenant Act 1972 Local Government (Miscellaneous Provisions) Act 1976 Local Government (Miscellaneous Provisions) Act 1982 Housing Act 1996 Housing Grants, Construction and Regeneration Act 1996 Local Government and Housing Act 1989 Building Act 1984 Defective Premises Act 1976 	<p>Enforcement Team Manager. This revised wording encompasses all of the functions undertaken by this service area, as opposed to listing them individually. Therefore streamlining the scheme of delegation. This simplified revised layout reflects that used by Public Protection</p>

Ref	Section /Page Ref	Amendment required	Reason for Amendment
		<p>Public Health Act 1936 Public Health Act 1961 Protection from Eviction Act 1977 Prevention of Damage by Pests Act 1949 Law of Property Act 1925 Town and Country Planning Act 1990 Acquisition of Land Act 1981 The Caravan Sites and Control of Development Act 1960 Mobile Homes Act 2013 The Energy Act 2013 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 Protection from Eviction Act 1977 The Housing and Planning Act 2016 Local Government and Housing Act 1989 Housing, Grants, Construction and Regeneration Act 1996 The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 Criminal Justice and Public Order Act 1994 Refuse Disposal (Amenity) Act 1978</p> <p>The Section will also be renamed planning and housing enforcement</p>	
23	Part IV Page 43 – Chief Operating Officer Delegations – Housing Enforcement	To REMOVE No. 20 namely “To set charges for the collection and disposal of commercial waste” and RE-INSERT this on Page 37 under the functions delegated to the Chief Operating Officer – Operational Services	Previous drafting effort and request of Strategic Lead
24	Part IV Page 43 – Chief Operating Officer Delegations	To ADD a new SUB SECTION and following delegation: - Enterprising Communities	In accordance with the Policy agreed by the Prosperous Communities Committee on 20 March 2018. No policy previously

Ref	Section /Page Ref	Amendment required	Reason for Amendment
		1. To determine parish lighting reviews and new requests for parish lighting in accordance with the approved policy	existed
25	Part IV Page 45 Director of Commercial and Economic Growth Delegations	To REMOVE No.4 namely “To enter into Agreements relating to the adoption of sewers” and RE-INSERT this on Page 36 as a new No. 5 under the functions delegated to the Chief Operating Officer – Public Protection. (Note remainder of paragraph to be re-numbered as a result)	This function is carried out by Officers in the Public Protection Team, which sits under the remit of the Chief Operating Officer.
26	Part IV Page 47 – Scheme of Management : Corporate Delegations Page 48 Page 49 Page 51	To AMEND 1.6 by removing the note “Subject to maximum in appendix A to report PS.3 92/93” To AMEND 2.7 “Authorising transfers and secondments” by permitting Team Managers to also undertake the function. To AMEND 3.2 by REMOVING the words “and entitlement to car and season ticket loans” To AMEND 4.6 “Determining appeals under the grievance, disciplinary, capability, performance management and managing attendance” by permitting Team Managers to also undertake the function. To AMEND 6.4 “Designating a member of staff as a redeployee” by permitting Team Managers to also undertake the function. (Note the headers will be amended to remove reference to the Chief	Reference to an old report. To ensure the table is in line with the content of policies approved by the Corporate Policy and Resources Committee and current working practices This function no longer exists. To ensure the table contents are in line with the content of policies approved by the Corporate Policy and Resources Committee and current working practices

Ref	Section /Page Ref	Amendment required	Reason for Amendment
		Executive)	
27	Part V / Page 11 – Council Procedure Rules	To ADD the following paragraph to 14.4 “ In the event that Full Council and/ or a Committee chooses to make use of the electronic voting system, the names and way in which those Elected Members present voted will automatically be recorded within the minutes	The Council does have the technology to record votes electronically. The use of this technology could increase transparency around decision making. Electronic voting is not currently in operation but this inclusion would allow for its use in the future if deemed appropriate.
28	Appendices	To REMOVE Appendix 16 – “Challenge and Improvement Methodology”	The C and I Cttee agree this at their first meeting each year and therefore this section very quickly becomes out date. Furthermore a number of other committees have an operating methodology or protocol and these are not included.

- 2.5 **Revised Operation of Conventions** - As referenced in Paragraph 1.4 above, building on the successful introduction of a new Code of Conduct in May 2017, and following a revision to the Senior Management of the Council in Summer 2017 particular focus has also be given this year to building effective relationships between Members and Officers. One such document which sets out the ways in which Members and Officers engage on a variety of issues is the Operation of Convention, which forms part of Section 3 of the Constitution – Codes and Protocols.
- 2.6 Two workshops, open to Senior Officers and All Members of the Council were held in January 2018, and allowed attendees to take a focussed look at this Section of the Constitution to ensure it was reflective of how Members and Officers engaged across the Council.
- 2.7 The workshops were fairly well attended. Attendees were asked to review the document and comment on what areas they liked, what they disliked and what they thought was missing. Attendees offered a number of suggestions and comments as to how the document could be improved.
- 2.8 A summary of proposed amendments arising from those comments made at the workshops is set out at Appendix 1. The arising amended document, for adoption, is attached at Appendix 1(a).
- 2.9 The most frequently raised point by Attendees at the work shop was that the contents of the Protocol were not often adhered to and were not widely known of.
- 2.10 In February 2018, Political awareness training was held for a number of senior Officers across the Council to raise awareness. The contents of the Amended Protocol on adoption will also be promoted through SLT Meetings at which all Team Managers and Strategic Leads attend.
- 2.11 **Member Champion Review** – As referenced in paragraph 1.5 above, Officers have also worked with both the Chairmen of the Prosperous Communities and Governance and Audit Committees to review the role and rationalise the number of Member Champions. This was arising from a request made by Members of the Prosperous Communities Committee back in June 2017, when they last appointed Champions.
- 2.12 The Prosperous Communities Committee considered this matter at their meeting on [20 March 2018](#) and the Governance and Audit Committee at its meeting on [17 April 2018](#). The relevant reports can be accessed via the links included and provide further context and rationale for this work having being undertaken, along with details of the other measures which

have been agreed by the Prosperous Communities Committee, in respect of Member Champions.

- 2.13 Arising from this work, a generic role description for Member Champions has been developed. This is attached at Appendix 2. It is recommended from the Governance and Audit Committee that this should be included within the Appendices of the Constitution, alongside the other “job descriptions” and Council are therefore asked to approve its inclusion. – subject to any changes requested at 17 April as this is a separate agenda item

3 In Year Changes to Financial and Contract Procedure Rules - for Approval

- 3.1 **Financial and Contract Procedure Rules** - The Governance and Audit Committee are delegated to make any changes to the Financial and Contract Procedure Rules between Annual Councils.
- 3.2 In accordance with the above, the Financial and Contract Procedure Rules have been amended and are presented for approval by the Governance and Audit Committee.
- 3.3 A table of amendments made to the Financial and Contract Procedure Rules is attached at Appendix 3 and the arising revised Procedure Rules (including tracked changes) are shown at Appendix 3a and 3b, Members are asked to approve these.
- 3.4 The Council’s Procurement Procedures, were audited recently and while the audit report is in draft form, we are expecting a substantial assurance rating. The amendments referred to in Appendix 3 include recommendations made within the audit report.
- 3.5 **Commercial Agenda** – Members attention is also particularly drawn to those amendments which have been made to reflect the Council’s commercial agenda. These are highlighted in green in the table of amendments at Appendix 3.
- 3.6 **In Year Changes and Other General Amendments already agreed by Council – For Noting** The table at Appendix 4 sets out those amendments agreed by Council/Committee during the year. Members are asked to note these.
- 3.7 A revised Members Allowances Scheme for the 2018/2019 civic year was agreed by Council at its meeting in January 2018. The revised scheme which forms Part VI of the Constitution is attached at Appendix 4a for noting

- 3.8 As result of changes at the senior management level of the organisation, the revised Management Structure, which forms Part VII of the Constitution is attached at Appendix 4b for noting.

4 Associated Work Planned to be undertaken during the 18/19 year

- 4.1 Whilst undertaking the annual review of the Constitution a number of other associated actions for further work and development have been identified, namely: -

- The role of the C and I Committee – The Committee received in depth training in February 2018. Throughout 2018/2019 the Committee’s role and effectiveness will continue to be monitored, and any arising recommendations will made as part of the Annual Review for 2018/2019, and would become effective from Annual Council May 2019.
- Member Development – As we move thorough the 2018/19 civic year, focus will turn to the 2019 all out elections. In readiness for the new elected cohort, Officers will be working closely with the Governance and Audit Committee and through a proposed informal Member Development Panel to ensure a robust induction programme and 4 year training plan is in place.

The whole approach to Member Training and Development in general will be under review in 2018/19.

- Members ICT – Again, as we move thorough the 2018/19 civic year, focus will turn to the 2019 all out elections. In readiness for the new elected cohort, Officers will be working with Members through the Corporate Policy and Resources Committee to consider options for ICT provision including the possibility of providing West Lindsey owned and issued hardware.

List of Appendices

- 1 Summary of Comments made at Workshops – for information
- 1a) Revised Member Officer Protocol – for recommendation to Council
- 2 Member Champ – Role Description – for recommendation to Council
- 3 Table of Amendments made to Financial and Contract Procedure Rules - for information
- 3a) Financial Procedure Rules – for adoption
- 3b) Contract Procedure Rules – for adoption
- 4 Table of Amendments already agreed within year – for noting
- 4a Part VI of the Constitution - Members Allowances Scheme for the 2018/2019 – for noting

4b Part VII of the Constitution – Management Structure – for noting.

Additional Document – Part IV – Responsibility for Functions –with tracked changes