

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
MONITORING OFFICER	AUDIT AND STANDARDS COMMITTEE	15 MARCH 2018	6
CONSTITUTION REVIEW			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Article 13 of the Constitution directs that *“the Monitoring Officer will review the Constitution every three years and seek its formal re-adoption by the Council.”*

It is three years since the Council adopted the new Constitution following the referendum to change the system of governance, and therefore it timely to start the process of reviewing the constitution.

The committee are asked to consider how they would wish to conduct the review.

RECOMMENDATION

1. To direct the Monitoring Officer to undertake a review of the constitution and report to a future meeting of the Audit and Standards Committee.

OR

2. For the Monitoring Officer to work in consultation with the Chairman of Audit and Standards and Group Leaders in the review of the constitution and to report to a future meeting of the Audit and Standards Committee.

SUMMARY OF PREVIOUS DECISIONS

This is first review of the constitution since the constitution was adopted by Council in March 2015 in anticipation of the governance change in May 2015.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. Article 13 of the Constitution directs that “the Monitoring Officer will review the Constitution every three years and seek its formal re-adoption by the Council.”
2. It is three years since the Council adopted the new Constitution following the referendum to change the system of governance, and therefore it timely to start the process of reviewing the constitution.
3. In accordance with the constitution in the intervening period between reviews, the Monitoring Officer has a duty to keep the constitution under review. Where necessary substantive changes are required the Monitoring Officer reports to Audit and Standards Committee, and with their recommendation the changes are ratified at full Council. This has occurred on a number of occasions since 2015.
4. Where the changes are to reflect a change in the law, job titles, structures, rearrangement of job responsibilities or general administrative conveniences, the Monitoring Officer has delegated authority to make those amendments.
5. Such amendments are notified to councillors and the published constitution is amended.
6. The table below details those changes made, both substantive and delegated, since May 2015.
7. The constitution directs the Monitoring Officer to conduct the review, as reflected in recommendation 1. In this regard the Monitoring Officer feels it would be useful to work with members on the review, particularly with the Chairman of Audit and Standards who is in the strong position of being able to draw on his recent experience of chairing Council meetings together Group Leaders.
8. The input of members during the necessary re-writing of the constitution in 2014/15, to reflect the governance change, was invaluable.
9. The three year review of the constitution is to ensure that as a document, it is still fit for purpose.
10. One possible area of focus during the review may be a review of the remit of the committees. The remits have remained largely unchanged since the governance change, and after three years of operation under the new system, it may be timely to review to ensure they are fit for purpose.
11. The committee are invited to consider other areas they may wish to direct the Monitoring Officer to review.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report
Legal	There are no implications arising directly from this report
Community Safety	There are no implications arising directly from this report
Human Rights and Equalities	There are no implications arising directly from this report
Sustainability and Environmental Impact	There are no implications arising directly from this report
Health & Safety and Risk Management	There are no implications arising directly from this report

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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		Council office or web address