



CONSTITUTION COMMITTEE – 6 SEPTEMBER 2006

REPORT OF THE CHIEF EXECUTIVE

REVIEW AND REVISION OF THE CONSTITUTION

AND AUTHORISATION OF OFFICERS

Purpose

1. The purpose of this report is to recommend further changes to the County Council's Constitution in the light of experience.

Background

2. Article 15 of the County Council's Constitution gives the Chief Executive a duty to monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. It requires that changes to the document should only be approved by the full County Council after consideration of the proposal by the Chief Executive and the Constitution Committee. In the case of everything except the Meeting Procedure Rules the final decision on changes can be made at a single meeting of the County Council. However, in the case of the Meeting Procedure Rules any motion to add, to vary or revoke Standing Orders must, having been proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
3. The Constitution has been reviewed on an annual basis, this report being the result of the fifth review which has taken place since it came into effect in June 2001. As with previous reviews it proposes a number of relatively minor changes, mainly responding to developments which have occurred recently and experience in operating what are still relatively new ways of working. The most significant of the amendments proposed relates to a revision of the plans contained in the policy framework and the removal of the Health Scrutiny Subcommittees to reflect changes in the NHS structure.
4. The detailed proposals resulting from the present review are set out in Appendix 1 to this report together with an explanation as to why it is considered that change is necessary.

Authorisation of Officers

6. The County Council is required by various statutes to designate an officer as the "proper officer" to be responsible for particular duties. These duties are mainly exercisable by the Chief Executive and County Solicitor, who also have other delegated powers, for example to enter

into contracts and seal documents. In relation to these powers the County Council has authorised a number of other officers to act on behalf of the Chief Executive and the County Solicitor. This list now requires updating to reflect the present structure and titles within the Chief Executive's Department. The details are set out in the recommendation which appears below.

Equal Opportunities Implications

7. None.

Recommendation

8. That the County Council be recommended:-

- (a) to approve the proposed changes to the Constitution as set out in Appendix 1 to this report;
- (b) to designate formally two members of the Cabinet respectively as Lead Member for the Children and Young People's Service and Lead Member for Adult Social Care;
- (c) to agree in respect of the proper officer functions and other delegated powers and functions allocated to the Chief Executive and County Solicitor, that the following officers be authorised to act:-

Director of Corporate Management
County Solicitor (in own right and on behalf of Chief Executive)
Assistant Chief Executive (Community Planning)
Head of Democratic Services and Administration
Head of Legal Services
Head of Human Resources
Head of Public Relations
Head of Youth Justice and Safer Communities
Head of Partnerships and Diversity

Background Papers

The Constitution of Leicestershire County Council.

Circulation under Sensitive Issues Procedure

None.

Officer to Contact

David Pitt – Head of Democratic Services and Administration
☎ 0116 265 6034
Email: dpitt@leics.gov.uk