

**ITEM NO. 16**

**REPORT TO THE COUNCIL MEETING OF 30 JULY 2012**

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**Meeting:** Council  
**Date:** 30<sup>th</sup> July 2012  
**Subject:** Standards Regime – Constitutional Changes  
**Report of:** Verina Wenham – Head of Legal and Democratic Services and Monitoring Officer  
**Portfolio Holder:** N/A  
**Status:** implementation

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1 Purpose Report

1.1 To update the Council on the required changes to the Constitution.

2 Recommendations:

2.1 **Council approve the amendments to the Constitution as set out below; set out in Appendix A- E and that the Constitution is amended accordingly.**

3 Summary of Reasons for the Recommendations

3.1 The changes to the Constitution are required following the changes to the standards regime contained within the Localism Act 2011 and which came into effect on 1 July 2012.

4 Impact on Communities

4.1 None as far as this report is concerned.

5 Key Facts

5.1 At its meeting on 25 June 2012 the Council adopted a new Code of Conduct , Register of Interests Form and arrangements for dealing with complaints about member conduct. The new requirements were required as a result of the new provisions under the Localism Act 2011. At that meeting the Council also established a new Committee, the Ethical Governance Committee to deal with such complaints as well as other general responsibilities previously dealt with by the Standards Committee.

5.2 The consequential amendments to the terms of reference of the Ethical Governance Committee and the new arrangements for dealing with complaints were considered by the constitutional Review Committee on 10 July 2012 and

this report sets out the amendments proposed by the Constitutional Review Committee.

- 5.3 The new Code of Conduct as approved by members and set out in Appendix A should be substituted for the existing Code of Conduct at Part 5 (1) –(3) of the Constitution. The revised interest form as set out in Appendix B be included in Part 5 (1).
- 5.4 An new Article 9 setting out the terms of reference of the Ethical Governance as set out in Appendix C to be substituted for the existing Article 9 which relates to the Standards Committee.
- 5.5 The arrangements for dealing with complaints as set out in Appendix D and E to be agreed and incorporated as an Appendix to Article 9 in the constitution.

## 6 Legal Issues

- 6.1 As set out in the report

## 7 Resource Issues

- 7.1 The changes to the Constitution will be met out of existing resources.

## 8 Equality Implications

- 8.1 None as far as this report is concerned.

## 9 Impact on the Organisation

- 9.1 The Constitution sets out the legal framework within which the authority operates and needs to be robust.

## 10 Community Safety Implications

- 10.1 None as far as this report is concerned.

## 11. Carbon Management Implications

- 11.1 None as far as this report is concerned.

## 12. Risk Management Implications

- 12.1 None as far as this report is concerned

## 13 Consultation

- 13.1 The proposed changes to the constitution have been considered and recommended by the Constitutional review Committee as required under the Constitution.

14 Options Considered

14.1 The constitution needs to be updated to incorporate the required changes a required by the change in legislation.

15 Background Papers

15.1 Localism Act 2011

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**Previous report(s): N/A**

**Information Issued Under Sensitive Issue Procedure: N**

**Ward Members Notified: N**

**Appendices:**

**A. Code of conduct**

**B. Interest Form**

**C. Article 9**

**D. Arrangements for Dealing with Complaints**

**E. Arrangements for Dealing with Complaints Flowchart**