

Southend-on-Sea Borough Council

Agenda
Item No.

Report of Chief Executive & Town Clerk

to
Council

on

15 December 2016

Report prepared by: John Williams,
Director of Legal & Democratic Services

Changes to the Constitution

Part 1 Public Agenda Item

1. Purpose of Report

To recommend changes to the Constitution to reflect the new senior management and departmental arrangements.

2. Recommendations

2.1 That the Scheme of Delegation to Officers in Part 3 Schedule 3 of the Constitution be amended as set out in Appendix 1.

2.2 That the Management Structure of the Council in Part 7 of the Constitution be amended as set out in Appendix 2.

2.3 That references throughout the Constitution to Chief Officers and Departments be amended to reflect the new titles agreed by Council on the 20th October 2016 when it endorsed changes to Senior Management and Departmental arrangements.

3. Background

3.1 On 20 September 2016 the Cabinet considered a report of the Chief Executive and recommended to Council that changes be made to Senior Management and Departmental arrangements, and also that appropriate amendments be made to the Constitution to reflect the new management structure once implemented (minute 281 refers). The Council endorsed the Cabinet's recommendations at its meeting on 20 October 2016.

3.2 The main changes required to the Constitution as a consequence of the decisions referred to in 3.1 are:

(a) That the Scheme of Delegation to Officers in Part 3 Schedule 3 of the Constitution be amended as set out in **Appendix 1**. The opportunity has also been taken to make some minor changes mainly to reflect legislative change or to improve clarity.

Words which have been deleted are struck through and words added are underlined.

(b) That the Management Structure of the Council in Part 7 of the Constitution be amended as set out in **Appendix 2**. Again words which have been deleted are struck through and words added are underlined.

3.3 It is also necessary to make changes throughout the Constitution to reflect the new titles of Chief Officers and Departments as a consequence of the agreed changes to Senior Management and Departmental arrangements. Authority is sought to make these changes.

3.4 There has necessarily been the need for Chief Officers with new titles to make decisions over recent weeks, pursuant to the Scheme of Delegation to Officers in Part 3 Schedule 3 of the Constitution or in accordance with delegations set out in minutes of Cabinet or a Committee.

Paragraphs 1.1(d), 1.3.5, 1.3.6 and 1.3.7 of the Scheme of Delegation to Officers provide authority for decisions taken in these circumstances.

4. Corporate Implications

4.1 Contribution to Council's Vision & Corporate Priorities

Becoming an excellent and high performing organisation.

4.2 Financial Implications

None

4.3 Legal Implications

Amending the Constitution is a function reserved to the Council. The changes are required for the efficient administration of the Council and to reflect the agreed changes to Senior Management and Departmental arrangements.

4.4 People Implications

None

4.5 Property Implications

None

4.6 Consultation

Internal consultation

4.7 Equalities and Diversity Implications

None

4.8 Risk Assessment

N/A

4.9 Value for Money

N/A

4.10 Community Safety Implications

None

4.11 Environmental Impact

None

5. Background Papers

None

6. Appendices

Appendix 1 – Proposed amendments to the Scheme of Delegation to Officers in Part 3 Schedule 3 of the Constitution

Appendix 2 - Proposed amendments to the Management Structure of the Council in Part 7 of the Constitution