COUNCIL
23 FEBRUARY 2017

AMENDMENTS TO THE CONSTITUTION

Report of the Monitoring Officer

Recommendations

It is recommended that:

(1) Council adopts the revised amendments to the Scheme of Delegation set out in the Constitution as shown in the appendix to this report and in Paragraph 4 of this report; and

(2) Delegates to the Chief Executive, Interim Corporate Director and the Monitoring Officer authority to amend the Scheme of Delegation to ensure continuity during the implementation of the Future Eastleigh structure.

Summary

This report recommends changes to the Council’s Constitution to take account of amendments necessary to the scheme of delegation following the introduction of stage one of the Future Eastleigh programme and as a result of the transfer of the administration of Hackney Carriage, Private Hire and certain other miscellaneous licences to Southampton City Council. In addition the opportunity is taken to bring a number of other areas such as financial limits up to date.

Statutory Powers

Local Government Act 2000 Section 37
Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

Introduction

1. The Council’s Constitution is periodically updated and the appendix to this report details amendments that are needed to the scheme of delegation to take account of the changes brought about by the introduction of phase one of the Future Eastleigh programme and as a result of the transfer of the administration of Hackney Carriage, Private Hire and certain other miscellaneous licensing to Southampton City Council to deal with on behalf of the Council. In addition, changes to the arrangements for the completion of
legal documents are required as set out in paragraph 4 of this report and paragraphs 3 to 33 (page 4-29) of the Constitution will need to be amended accordingly.

2. As the new officer structure and new ways of working develop under the Future Eastleigh arrangements further changes may be needed and authority is requested to delegate to the Chief Executive, Interim Corporate Director and the Monitoring Officer to make the necessary amendments to the scheme of delegation to ensure that the Council is acting lawfully.

3. Changes to licensing delegations as set out in the annex are required as a result of the transfer of the administration of Hackney Carriage and Private Hire and certain other residual licensing to Southampton City Council.

4. The Common seal of the Council will now be kept in a safe place in the custody of the Legal Services Manager. The following will be added to the persons authorised to seal documents on behalf of the Council: The Monitoring Officer and the Legal Services Manager. In addition, the Monitoring Officer or the Legal Services Manager will be able to sign documents where required as a necessary step in legal proceedings on behalf of the Council.

5. A full review of the Constitution is on-going and it is intended to put a report before Council at the Annual Meeting in May 2017.

Financial Implications

6. There are no direct financial implications arising from this report

Risk Assessment

7. There are no direct financial implications arising from this report *

Equality and Diversity Implications

8. The Equality Act is not relevant to the decision in this report as the decision does not relate to eliminating discrimination, advancing equality of opportunity, or fostering good relations between different people. An Equality Impact Assessment has not been carried out.

Conclusion

9. This report seeks approval for the necessary amendments of the Council’s Constitution as detailed above.

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Monitoring Officer

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Appendices Attached: one
LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information.

None.