

North East Derbyshire District Council

Standards Committee

6 December 2022

Review of the Constitution

Report of the Assistant Director of Governance and Monitoring Officer

Classification: This report is public

Report By: Assistant Director of Governance and Monitoring Officer

Contact Officer: Interim Governance Manager, Alan Maher: alan.maher@ne-derbyshire.gov.uk / Deputy Monitoring Officer, Lisa Ingram: lisa.ingram@ne-derbyshire.gov.uk

PURPOSE / SUMMARY

To confirm that as Stage One of the Review of the Constitution any technical and typographical errors have now been corrected,

RECOMMENDATIONS

1. That Standards Committee note the Stage One updates to the Constitution.

Approved by the Portfolio Holder – Not applicable

IMPLICATIONS

Finance and Risk: Yes No

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

The Council is required under the Localism Act 2011 to prepare and keep up-to-date a Constitution. This should include its Standing Orders and the Members Code of

Conduct. It should also include any other information required or directed by the Secretary of State, or which the Council considers appropriate.

On Behalf of the Solicitor to the Council

Staffing: Yes No
Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	No

Links to Council Plan priorities, including Climate Change, Equalities, and Economics and Health implications.
N/A

REPORT DETAILS

- 1 **Background** (reasons for bringing the report)

- 1.1 At its last meeting, the Committee agreed to undertake a three-stage review of the Constitution. 'Stage One' of the review would be to make any technical or typographic amendments required to the existing text, which has now been completed. The revised text is appended to the report. Committee Members can also access it through: [https://nmgxnet.northern-derbyshire.gov.uk/ieListDocuments.aspx?CId=1293&MId=2542&Ver=4&LO\\$=1](https://nmgxnet.northern-derbyshire.gov.uk/ieListDocuments.aspx?CId=1293&MId=2542&Ver=4&LO$=1)
- 1.2 It was also agreed that the Committee would then focus on Stage **Two** of the review, to consider how Councillor Roles and Responsibilities, the Code of Conduct and acceptable behaviour ought to be reflected in the Council's Constitution. **Stage Three**, will to consider the formal operation of the Council's Member and officer decision making arrangements, as well as the expectations which underpin them and how these should be reflected in the Council's Constitution.
- 1.3 Committee agreed that special, workshop style, meetings should be held for Stages Two and Three. Members will be contacted shortly to confirm the arrangements.

2. Details of Proposal or Information

- 2.1 In order to help the Committee carry out its review of the Constitution, it was agreed that the Monitoring Officer would rectify any factual and typographical errors within the Constitution under the Council's Scheme of Delegation.
- 2.2 The Monitoring Officer has identified these errors and formally agreed the revisions.

3 Reasons for Recommendation

- 3.1 To ensure the accuracy of the Council's Constitution.
- 3.2 To ensure that it remains adequate for the governance of the Council's Member and Officer Governance arrangements.

4 Alternative Options and Reasons for Rejection

- 4.1 None

DOCUMENT INFORMATION

Appendix No	Title
1	Constitution of North East Derbyshire District Council Stage One Technical Changes

Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)