



# Meeting of the City Council

## 1 April 2015

<b>Report title</b>	Changes to the Constitution	
<b>Referring body</b>	Standards Committee, 27 March 2015	
<b>Councillor to present report</b>	Cllr Ian Brookfield	
<b>Wards affected</b>	n/a	
<b>Cabinet Member with lead responsibility</b>	n/a	
<b>Strategic director</b>	Kevin O'Keefe – Director of Governance	
<b>Originating service</b>	Democracy	
<b>Contact employee(s)</b>	Linda Banbury	Democratic Services Officer 01902 555040 <a href="mailto:linda.banbury@wolverhampton.gov.uk">linda.banbury@wolverhampton.gov.uk</a>
<b>Report to be/has been considered by</b>	Special Advisory Group	10 December 2014
	Standards Committee	18 March 2015 27 March 2015

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### Recommendation(s) for action or decision:

The Council is recommended:

1. To make amendments to job titles and responsibilities to reflect the Council's recent senior management restructuring, particularly:
  - a) to remove references to the role of Chief Executive, replacing it with 'Head of Paid Service';
  - b) to remove references to the role of Strategic Director – Education and Enterprise, replacing it with 'Strategic Director for Place';
  - c) to remove references to the role of Strategic Director – Community, replacing it with 'Strategic Director for People';
  - d) to remove references to the role of Assistant Director (Finance), replacing it with 'Director of Finance';

- e) to remove references to the role of Chief Legal Officer, replacing it with 'Director of Governance'; and
  - f) to amend the section on management structure to reflect revised arrangements.
2. To amend the budget and policy framework documents listed in the glossary.
  3. To remove the requirement for Standards Committee to consider proposed changes to the Constitution.
  4. To remove the requirement for the Monitoring Officer to make paper copies of the Constitution available, other than at the Civic Centre or in response to specific requests.
  5. To include a delegation to the Leader of the Council to approve permanent changes to the membership of Scrutiny Panels and other committees part way through a municipal year, subject to consultation with relevant group leaders.
  6. To include the following within the portfolio of the Cabinet Member for Governance and Performance:
    - To work with the Returning Officer/Electoral Registration Officer to oversee the Council's Electoral Services functions, including electoral registration and co-ordination of elections.*
  7. To delete from the Cabinet (Resources) Panel's delegations, responsibility to agree bids for external funding.
  8. To include a delegation to the Head of Paid Service to appoint a Deputy Electoral Registration Officer.
  9. To include a delegation to the Strategic Director for People to accept guardianship applications under the Mental Health Act 1983.
  10. To amplify the delegation to the Strategic Director for Place in respect of planning enforcement, including additional wording 'including in relation to listed building and conservation areas, advertisement control including discontinuance notices, and serving Section 215 notices.
  11. To include within the delegations to the Strategic Director for Place, the power to enter into agreements under Section 111 of the Local Government Act 1972.
  12. To include a summary of the indemnity provided to employees in the event of a claim being made against them arising from their work on behalf of the Council.
  13. To include a delegation to the Monitoring Officer to amend the Constitution to reflect changes in the Council's senior management structure.
  14. To include the appointment of the Electoral Registration Officer and Returning Officer as one of the functions reserved to the Council.
  15. To delete F14 (delegations to the Strategic Director for Place), which requires planning applications that need a Section 106 agreement to be reported to Planning Committee.
  16. To amend the existing delegation (E49) to the Strategic Director for Place in respect of fleet management arrangements to read as follows:
    - 'The operational and business management of the Council's functions relating to fleet management and *leasing*, vehicle compliance, vehicle maintenance and passenger transport services, including setting, recovering and rebating charges as appropriate.'*
  17. To change the Proper Officer for the purposes of appointment and/or dismissal of senior employees to be the Director of Governance.
  18. To include a delegation in the Constitution to the Strategic Director for Place 'to agree capital expenditure and operational decisions regarding investment in the Council's housing stock, in consultation with the Asset Management Group'.

19. To amend references to the 'Procurement Code' to read 'Contract Procedure Rules'.
20. To amend the Financial Procedure Rules to confirm that all expenses must be accompanied by a receipt.

## **1.0 Purpose**

1.1 This report seeks the endorsement of a number of changes to the Constitution.

## **2.0 Background**

2.1 As part of the iterative approach to maintaining the Constitution, the Constitution Review Group has highlighted a number of changes that need to be made. Some of these are in relation to operational changes within the Council's structures, others reflect changes in regulations and guidance, whilst others simply reflect refinements borne out of experience.

2.2 The Standards Committee will meet on 27 March 2015 and the outcome of the meeting will be reported to Council.

## **3.0 Financial implications**

3.1 There are recommendations that refer to financial procedures, but no additional costs or savings arise from the proposed changes.  
[GE/20102014/C]

## **4.0 Legal implications**

4.1 The Council is required, under Section 37 of the Local Government Act 2000, to prepare and publish a Constitution which contains its standing orders relating to decision making, finance and contracts. The Council is also required to keep its Constitution updated.  
[RB/10032015/W]

## **5.0 Equalities implications**

5.1 There are no equalities implications arising from the recommendations contained in this report.

## **6.0 Environmental implications**

6.1 There are no environmental implications arising from the recommendations contained in this report.

## **7.0 Human resources implications**

7.1 There are no human resources implications arising from the recommendations contained in this report.

## **8.0 Corporate landlord implications**

8.1 There are no corporate landlord implications arising from the recommendations contained in this report.

## **9.0 Schedule of background papers**

### **9.1 Reports to Standards Committee – 27 March 2015**