

**COUNCIL CONSTITUTION REVIEW**

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**1.0 EXECUTIVE SUMMARY**

This report considers proposed changes to the Council Constitution.

The Council generally reviews the Constitution annually and various minor changes are proposed and future issues highlighted in this report.

The key recommendations are as follows:

- 1.1 To note the adjustments to the remit of the strategic committees to recognise the inception of the Argyll and Bute Integration Joint Board.
- 1.2 To amend the Scheme of Delegation to provide that the Vice Chair of the Performance Review and Scrutiny Committee be appointed by the Council from one of the opposition members appointed to the committee.
- 1.3 To amend the delegation to Area Committees so that disposals by sale or lease come to the relevant Area Committee only where it is proposed not to accept the best consideration.
- 1.4 To note the proposed update to the delegations to the Executive Director of Development and Infrastructure Services to determine requests to stop up or realign core paths, to make it explicit that any Area Capacity Evaluation can be determined by the officer as provided for in the decision of the Council in April 2015 and to make some minor adjustments to the wording of 26/28/29/30 as set out in the revised draft. In addition the Chief Officer Integration Joint Board now appears formally in the Scheme of Delegation.
- 1.5 To agree to update Appendix 2 of the Financial and Security Regulations, including revisions to the Anti- Fraud Strategy and Public Interest Disclosure Policy, as set out in the revised draft.
- 1.6 To agree to update Part F of the Constitution to refer to the new guidance from the Standards Commission issued in March 2016.

An overview of key changes is provided at Appendix 1.

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**2.0 INTRODUCTION**

2.1 This report considers proposed changes to the Council Constitution.

The Council generally reviews the Constitution annually and various minor changes are proposed and future issues highlighted in this report

**3.0 RECOMMENDATIONS**

3.1 To note the adjustments to the remit of the strategic committees to recognise the inception of the Argyll and Bute Integration Joint Board.

3.2 To amend the Scheme of Delegation to provide that the Vice Chair of the Performance Review and Scrutiny Committee be appointed by the Council from one of the opposition members appointed to the committee.

3.3 To amend the delegation to Area Committees so that disposals by sale or lease come to the relevant Area Committee only where it is proposed not to accept the best consideration.

3.4 To note the proposed update to the delegations to the Executive Director of Development and Infrastructure Services to determine requests to stop up or realign core paths, to make it explicit that any Area Capacity Evaluation can be determined by the officer as provided for in the decision of the Council in April 2015 and to make some minor adjustments to the wording of 26/28/29/30 as set out in the revised draft. In addition the Chief Officer Integration Joint Board now appears formally in the Scheme of Delegation.

3.5 To agree to update Appendix 2 of the Financial and Security Regulations, including revisions to the Anti- Fraud Strategy and Public Interest Disclosure Policy, as set out in the revised draft.

3.6 To agree to update Part F of the Constitution to refer to the new guidance from the Standards Commission issued in March 2016.

## **4.0 DETAIL**

- 4.1 The proposed changes to the constitution are driven generally by either the inception of the Argyll and Bute Integration Joint Board [otherwise referred to as the Health and Social Care Partnership], some minor alterations to the delegations to officers, the regular update of the financial and security regulations and finally the new guidance on the National Code of Conduct for Councillors
- 4.2 To note also that there will be a requirement to review the Constitution in 2017 to take account of changes introduced by the new Education Act and the proposed changes arising from the integration of third sector grants.

## **5.0 CONCLUSIONS**

- 5.1 The proposed changes will address issues arising since the last revision in 2015.

## **6.0 IMPLICATIONS**

- 6.1 Policy - These revisions will keep the Constitution up to date
- 6.2 Financial - None
- 6.3 Legal - None
- 6.4 HR - None
- 6.5 Equalities - The provisions have no adverse impact in terms of equality issues
- 6.6 Risk - None
- 6.7 Customer Service - None

**Douglas Hendry - Executive Director of Customer Services**  
**Councillor Dick Walsh - Policy Lead Strategic Finance, Improvement, HR,**  
**Customer Support and Facility Services**  
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**For further information contact:** Charles Reppke, Head of Governance and Law, Kilmory, Lochgilphead, Tel: 01546 604192

### **Appendix 1: Review of Constitution 2016 – Summary of Key Changes**

A copy of the draft Constitution is available on- line with the Council Agenda and a hard copy can be made available on request.