

AMENDMENTS TO THE CONSTITUTION

Report of Angela Lax, Cabinet Member for Legal & Regulatory Services

Date: 18 February 2020

Officer Title: Agenda Item 14

Officer Title: Christie Tims – Head of Corporate Services and
Monitoring Officer

Local Ward
Members N/A

Full Council

1. Executive Summary

- 1.1 The Lichfield District Council Constitution is constantly reviewed and updated to ensure it remains fit for purpose, reflects changes in legislation, decisions and recommendations.
- 1.2 Following a review of Audit Committee effectiveness the Audit and Member Standards Committee has recommended the requirement of a Chair's Annual Report to come to Full Council.
- 1.3 Due to recent changes to EU procurement limits, Contract Procedure Rules have also been updated.

2. Recommendations

- 2.1 To agree the recommendation of the Audit & Member Standards Committee that the Committee submit a Chair's Annual Report to Full Council.
- 2.2 To note the amendments to the EU procurement limits and the update to the Contract procedure Rules which have been updated under delegation.

3. Background

- 3.1 **Part 2** of the constitution details the Articles of the Constitution, which includes committees and how they operate.
- 3.2 In February the Audit and Member Standards Committee undertook an annual review of Audit Committee effectiveness as recommended by CIPFA guidelines. It highlighted that best practice requires the production of a Chair's Annual Report so that:
 - the Audit and member Standards Committee report directly to Full Council
 - the committee is held to account for its performance operating effectively
 - an annual evaluation is undertaken to assess whether the committee is fulfilling its terms of reference
 - consideration is given to all core areas.
- 3.3 The committee accepted the best practice recommendation and have recommended the change to part 2 of the constitution for Full Council to receive a Chair's Annual Report.
- 3.4 **Part 4** of the constitution details the rules of procedure. Following the update of EU procurement limits the content of this section has been updated to reflect the new limits from 1 January 2020.
- 3.5 As this is a change in law, the new limits have been updated under officer delegations and Full Council is notified of the change.
- 3.6 The new thresholds are now over £189,330 for goods and services or £4,733,252 for works.

Alternative Options	Not to update the Constitution and in line with recommendations from the Audit and Member Standards Committee or changes in Statute.
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Consultation	All changes meet the needs of the organisation and have been consulted with the relevant committee and finance, procurement and legal services.
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Financial Implications	None; there are no implications for the changes themselves. The new EU procurement limit determine how items are procured.
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Contribution to the Delivery of the Strategic Plan	Proposals will assist with compliance with the legal requirements and effectiveness.
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Equality, Diversity and Human Rights Implications	None
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Crime & Safety Issues	None
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GDPR/Privacy Impact Assessment	Yes – all data collected and collated in the preparation and operation of the constitution has been impact assessed with the appropriate controls in place.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
1	Legal challenge as constitution is not up to date	Update Constitution	Green

Background documents Current and revised draft Constitution
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Relevant web links https://democracy.lichfielddc.gov.uk/ieListDocuments.aspx?Cid=190&Mid=304&Ver=4&info=1
