

Update to the Constitution

Cllr Angela Lax, portfolio holder for Regulatory, Housing and Health

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Agenda Item: 17

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Key Decision? Y

Local Ward Members All Wards



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, and provides appropriate delegations.
- 1.2 Due to recent staffing changes and findings from a scheme of delegation audit, several changes are necessary to the scheme of delegation to officers.

2. Recommendations

- 2.1 To approve the updated scheme of delegation.
- 2.2 To note the new cabinet portfolios and update the constitution accordingly.

3. Background

Delegation to Officers

- 3.1 Part 3 Section 4 of the constitution details the scheme of delegation to officers. Following the recent changes to the establishment including the deletion of director posts and renaming of Head of Service positions several changes are now necessary to the constitution to formally recognise the new arrangements.

These are summarised as:

- Removal of the directors posts from the establishment and distribution of these delegations to the Heads of Service as appropriate.
- Removal of the Assistant Chief Executive from the establishment and distribution of these delegations to the Head of Corporate Services as appropriate.
- Update all delegations currently assigned to the Head of Corporate Services as Monitoring officer and re-allocation of these duties to the Head of Governance and Performance.

- 3.2 Heads of service may set fees and charges within their service areas as they see fit within the current constitution, subject to matters reserved for another body. The delegation is to include the ability to vary and waive these charges where these are within budget.

Alternative Options

1. Not to update the Constitution and scheme of delegation in line with recommendations from the audit and changes to leadership. To not do so could lead to inefficiency and confusion.

Consultation	1. All changes meet the needs of the organisation and have been consulted with Heads of Service and the legal service and where appropriate approved by the Employment Committee.
Financial Implications	1. None; there are no implications for the changes themselves.
Contribution to the Delivery of the Strategic Plan	1. Proposals will assist with compliance with the legal requirements and efficiency thus the Council's ability to deliver the services required.
Equality, Diversity and Human Rights Implications	1. None arising from this report.
Crime & Safety Issues	1. None arising from this report.
Environmental Impact	1. None arising from this report.
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.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	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
