

**WRITTEN STATEMENT OF A NON-KEY DECISION
CABINET**

ITEM:	REVIEW OF THE CONSTITUTION
Members Present:	Councillors: RJ Phillips (Leader), Mrs LO Barnett, PJ Edwards, Mrs JP French, JC Mayson, DW Rule MBE (Deputy Leader), RV Stockton, DB Wilcox, RM Wilson.
Date of Decision:	26 January 2006
Purpose:	To update the Constitution to reflect changing legislative and Council requirements.
Decision:	<p>THAT Cabinet considers the recommendations set out below and recommends their approval to the Council.</p> <p>That</p> <ul style="list-style-type: none"> (a) the duties previously assigned to the County Treasurer (including Section 151 Officer) be re-assigned to the Director of Resources; (b) the duties previously assigned to the County Secretary and Solicitor (including Monitoring Officer) be re-assigned to the Head of Legal and Democratic Services; (c) Cabinet Member portfolios be revised as set out in paragraphs 7 and 9 of the report; (d) the Children's Services portfolio be renamed Children and Young People to reflect its enhanced role; (e) in the case of unexpected vacancies arising in Cabinet the Leader be authorised to re-assign responsibilities within the Cabinet, until such time as the Council has an opportunity to review the situation or to appoint a Cabinet Member to the vacant post; (f) SO 6.2.2.1 - Terms of Reference for Cabinet be amended to include responsibility for Risk Management; (g) the following words be added to S.O. 2.11 of the Constitution "There are additional rights of access to documents for Members of overview and scrutiny committees as set out in Regulation 18 of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000." (h) Councillors' rights to inspect documents and proposals set out at paragraph 16 and 17 of the report, as amended, be endorsed; (i) the rules relating to the co-ordinating role of the Strategic Monitoring Committee be

	<p>revised as set out at paragraph 20 of the report;</p> <ul style="list-style-type: none"> (j) the Independent Remuneration Panel at its next scheduled meeting in September 2006 considers whether the post of Chairman of the Audit Committee should be entitled to a Special Responsibility Allowance; (k) Appendix 4 - Financial Regulations, paragraph 6.2 be amended to include "Where the signature is printed on the cheque by a Council system, the signature will be that of the Director of Resources."; (l) Appendix 23 - Allocation of Miscellaneous Functions be revised to correct typographical errors at items 14 and 31; (m) a revised Appendix 6 Appointment and Discipline of Employees (attached) be approved; and (n) the Political Group Leaders be asked to consider what changes they might wish to make to the membership of the Constitutional Review Working Group to ensure that political proportionality across the Council is more closely reflected, and subject thereto, the Chief Executive be authorised to implement the appointments notified by the four Political Group Leaders.
Reasons for the Decision:	To ensure the Constitution meets all legal and operational requirements.
Options Considered:	There are no alternative options recommended.
Declaration of Interest:	None.

<p>RJ PHILLIPS:..... LEADER OF THE COUNCIL</p>	<p>Date: 26 January 2006</p>
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