

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

ITEM:	REVIEW OF THE CONSTITUTION
Members Present:	Councillors: RJ Phillips (Leader), PJ Edwards, DW Rule MBE (Deputy Leader), RV Stockton, DB Wilcox, RM Wilson.
Date of Decision:	20th July 2006
Exempt:	No
Confidential	No
Urgent Decision:	No
Purpose:	To continue the on-going review of the Council's Constitution.
Decision:	<p>To recommend to Council:</p> <p>THAT:</p> <ul style="list-style-type: none"> (a) Council agrees to amend the Constitution to provide for a Cabinet to be established between three and nine members. Those members to be appointed by the Leader of the Council and the membership and the individual portfolios to be notified to the Head of Legal and Democratic Services for inclusion as an Appendix to the Constitution; (b) Council agrees to the extension to the powers of the Strategic Monitoring Committee to allow it to commission work from any of the four Scrutiny Committees; (c) Council agrees that the Council meeting in March be reserved to approve the budget and the setting of the council tax and associated business together with statutory plans that need to be approved by Council and that cannot be delayed and consequentially Standing Order 4.25.10 "Questions will not be accepted at the March meeting of the Council that sets the budget and council tax" be introduced; (d) Council approves the revised Financial Standing Orders, copies of which have been made available to the Constitutional Review Working Group and a further copy of which is available for inspection in the Members' Room;

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| | <p>(e) Council agrees to make the following amendments to the Constitution in respect of the role of the Audit Committee;</p> <ul style="list-style-type: none"> (i) the name of the Committee be amended to the Audit and Corporate Governance Committee; (ii) the Terms of Reference as recommended by CIPFA be approved; (iii) the Audit Committee approve the Terms of Reference for Internal Audit, the Internal Audit Strategy and consider the resourcing of Internal Audit; and (iv) the Constitution be amended to permit the appointment of an independent Chairman of the Audit Committee; <p>(f) provision be made in the Constitution for the establishment of a Compensation (Enhanced Payments) Panel whose Terms of Reference would be to address the award of compensation to senior employees in circumstances where their contracts are terminated and that that Panel consist of the Cabinet Member (Resources); the Cabinet Member (Corporate and Customer Services and Human Resources) and the Chairman of the Audit Committee</p> <p>(g) Council approves the following detailed amendments to the Constitution to improve the arrangements for delegating powers in respect of Traffic Regulation Orders and Food Safety prosecutions:</p> <ul style="list-style-type: none"> (i) Appendix 23 of the Constitution be amended to provide for the Director of Environment to make a decision to advertise any proposals for a Traffic Regulation Order (including traffic calming measures) and to proceed to make the same if no objections are forthcoming; and (ii) Part 12, 12.7.4 of the Constitution be amended by adding a specific reference enabling the Director of Environment to commence prosecutions under the provisions of the Food Safety Act, 2990 (As Amended) and the European |
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	<p>Communities Act 1972 including any Regulations made pursuant to those acts or any re-enactment thereof; and</p> <p>(h) the Head of Legal and Democratic Services be given delegated power to undertake the necessary drafting amendments to give support to the recommendations contained above..</p>
<p>Reasons for the Decision:</p>	<p>To implement proposed changes to the Council's Constitution.</p>
<p>Options Considered:</p>	<p>There were no realistic alternative options other than to leave the Constitution unamended or make different amendments.</p>
<p>Declaration of Interest:</p>	<p>None.</p>

<p>COUNCILLOR RJ PHILLIPS:..... LEADER OF THE COUNCIL</p>	<p>Date: 20th July 2006</p>
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