

## **REPORT TO EXECUTIVE**

Date of Meeting: 4 April 2023

## **REPORT TO COUNCIL**

Date of Meeting: 18 April 2023

Report of: Director Corporate Services

Title: Amendments to the Constitution

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

#### **1. What is the report about?**

This reports sets out proposals to amend the Constitution to match operational arrangements.

#### **2. Recommendations:**

That the Council approve the changes to the Constitution, including the Scheme of Delegation to Officers, as set out in the Appendix to this report, with such changes affecting the post of Chief Executive and Growth Director being with immediate effect; and those affecting the post of Corporate Manager, Democratic & Civic Support being effective from 1 June 2023

#### **3. Reasons for the recommendation:**

3.1 To ensure that the constitution is up to date following the:-

- changing of the Chief Executive and Growth Director's post title to be Chief Executive; and
- deletion of the Corporate Manager, Democratic & Civic Support post

3.2 To ensure that that Scheme of Delegation to Officers is up to date and matches the operational arrangements of the Council, thereby ensuring that day to day operational decisions can be taken. Particular attention has also been taken to ensure that Deputies have been appointed in all cases where authority has been delegated to officers, thereby ensuring that matters can continue to be dealt with, even in the absence of the named officer(s).

#### **4. What are the resource implications including non financial resources**

None.

## **5. Section 151 Officer comments:**

5.1 There are no financial implications for Council to consider.

## **6. What are the legal aspects?**

It is important to ensure that appropriate authority for officers to undertake the operational requirements of the Council, is appropriately approved by full Council and forms part of the Council's constitution.

## **7. Monitoring Officer's comments:**

This report raises no issues for the Monitoring Officer

## **8. Report details:**

8.1 The Constitution is the working document which sets out the rules by which the Council operates, in many different ways. It therefore needs to be kept up to date to match operational requirements and arrangements.

8.2 The latest revision mainly concentrates on:-

- The amendment of the title of the post of Chief Executive and Growth Director to no longer include 'Growth Director'.
- The additional responsibility for the Chief Executive to act in the role of the Council's Shareholder Representative in respect of Exeter City Group Limited and its subsidiaries to undertake the activities and decisions, reserved and delegated to the Council/Shareholders Representative by the Exeter City Group Limited Management Agreement.
- The removal of the post of Corporate Manager, Democratic & Civic Support and the need therefore to remove reference to that post throughout the constitution, with the reallocation of all references to that post's responsibilities within the Constitution, to other officers.

8.3 It should be noted that no additional responsibilities or powers are being put forward as part of this review – it is merely the reallocation of existing powers and responsibilities.

## **9. How does the decision contribute to the Council's Corporate Plan?**

It ensures that the Council is working as efficiently as possible.

## **10. What risks are there and how can they be reduced?**

There are no risks associated with the proposals.

## **11. Equality Act 2010 (The Act)**

In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act.

## **12. Carbon Footprint (Environmental) Implications:**

No direct carbon/environmental impacts arising from the recommendations.

### **13. Are there any other options?**

None

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### **Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-

None

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