



Northumberland County Council

County Council

Wednesday, 1 May 2024

Constitution Update

Report of the Director of Law and Corporate Governance

1. **Link to Key Priorities of the Corporate Plan**

This report is relevant to the “Achieving Value for Money” priority within the NCC Corporate Plan by working better, and more efficiently.

2. **Purpose of report**

To inform members of amendments made to the constitution by the Director of Law and Corporate Governance under the powers delegated by Council.

3. **Recommendations**

- 3.1 To receive for information the amendments made to the constitution by the Director of Law and Corporate Governance as set out in the schedule of amendments at the appendix to this report.

4. **Forward plan date and reason for urgency if applicable**

Not applicable

5. **Background**

- 5.1 The Council adopted a new constitution at its Annual General Meeting on the 17th May 2023. Under the constitution the Director of Law and Corporate Governance has remit to keep the constitution under review and present any amendments to Council. It is recognised that it is usual for the constitution to be reviewed on an annual basis, and it is good practice to do so.
- 5.2 The Director of Law and Corporate Governance has been reviewing the constitution on an ongoing basis and has found that in substance the constitution has been working well. However there are a number of instances where matters such as cross – referencing, and updating of roles needed to be attended to.

5.3 Council has delegated to the Director of Law and Corporate Governance power to make non-material changes to the constitution in consultation with the Chair of the Constitution Working Group, as per the following resolution of Council on the 17th May 2023:

b) authority be delegated to the Monitoring Officer to make such changes to the Council's Constitution as they deem to be necessary and in the Council's interests to do so, which shall be in consultation with the Chair of the Constitution Working Group where the monitoring officer considers appropriate, and which do not materially change any principles previously approved by the Council including, but not limited to, changes:

i) amounting to routine revisions

ii) to provide appropriate clarity

iii) to correct typographical and other drafting errors

iv) to reflect new legislation

v) to correct inconsistencies in drafting

vi) to reflect new officer structures and job titles, properly approved through Council processes

The Director of Law and Corporate Governance has reviewed the constitution and has identified a number of changes which fall within the criteria above. These are listed in the document appended to this report. The Chair of Constitution Working Group has been consulted and has agreed with the changes made by the Director of Law and Corporate Governance. These changes are now presented to members to inform them on the ongoing review of the Constitution. A clean version and a version showing tracked changes to the constitution are published with the agenda papers for the meeting and available via this link [Agenda for County Council on Wednesday, 1st May, 2024, 3.00 pm - Northumberland County Council \(modern.gov.co.uk\)](https://modern.gov.co.uk/agenda-for-county-council-on-wednesday-1st-may-2024-3.00-pm-northumberland-county-council)

6. Options open to the Council and reasons for the recommendations

6.1 Not applicable – report for information only

7. Implications

Policy	Policy This report links to all aims and priorities of the Corporate Plan
Finance and value for money	Ensuring the Council has a fit for purpose Constitution and enhanced governance framework ensures the Council is discharging it's best value duty
Legal	Section 9P(1) of the Local Government Act 2000 (LGA 2000) requires a Local Authority to prepare and keep up to date a Constitution, which must contain a copy of the authority's standing orders and a copy of the Authority's code of conduct. The constitution must also contain such information as the

	Secretary of State may direct and any other information which the Authority considers appropriate
Procurement	None
Human resources	None
Property	None
The Equalities Act: is a full impact assessment required and attached?	No - not required at this point Equality issues have been considered with each amendment
Risk assessment	Failure to have an up to date and accurate Constitution could lead to legal challenge and operational, reputational and financial risk
Crime and disorder	None
Customer considerations	None
Carbon reduction	None
Health and wellbeing	None
Wards	All Wards

8. Background papers

None

9. Links to other key reports already published

Not applicable

10. Author and Contact Details

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