

Title of Report:	Amendments to the Constitution - Scheme of Delegation
Report to be considered by:	Council
Date of Meeting:	25 October 2011
Forward Plan Ref:	C2304

Purpose of Report:	To review and amend sections of the Scheme of Delegation.
Recommended Action:	To approve the recommended actions and where necessary produce clarity on the Scheme.
Reason for decision to be taken:	To align functions in line with changes to the Council's Management Structure, governance arrangements as well as any changes to legislation.
Other options considered:	None - The Constitution has to be updated.
Key background documentation:	Relevant legislation

The proposals will also help achieve the following Council Plan Themes:	
<input checked="" type="checkbox"/>	CPT12 - Including Everyone
<input checked="" type="checkbox"/>	CPT15 - Putting Customers First
<input checked="" type="checkbox"/>	CPT16 - Excellent Performance Management
The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by: ensuring that the Constitution is up to date.	

Portfolio Member Details	
Name & Telephone No.:	Councillor Graham Jones - Tel (01235) 762744
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Date Portfolio Member agreed report:	30 August 2011

Contact Officer Details	
Name:	Andy Day
Job Title:	Head of Policy and Communication
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Implications

Policy: Will require changes to the Constitution
Financial: None – will be undertaken within existing resources.
Personnel: None
Legal/Procurement: Will require the Constitution to be updated
Property: None
Risk Management: None
Equalities Impact Assessment: Stage 1 EIA completed

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input checked="" type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

Executive Summary

1. Introduction

- 1.1 All Directors and Heads of Service have been asked to advise of any changes they require to the Scheme of Delegation to ensure that the Council's Constitution is as up to date as possible. The attached appendix lists all of the proposed changes for Council to consider.
- 1.2 The following key changes have been made to the document:
- Amendments to make reference to the functions of the Personnel Committee;
 - Insertion of a paragraph in the general pre-amble to try to ensure continuity following any reorganisation / restructure;
 - Changes to the delegations relating to the Returning Officer;
 - Amendments and re-alignment of functions to Service Areas following reorganisation within the Council;
 - updates in respect of changes to legislation.

2. Proposals

- 2.1 It is proposed that the revised Scheme of Delegation be approved.

3. Conclusion

- 3.1 The report is a required update, due to the changes in service areas names and job roles and changes to legislation.

Appendices

Appendix A – Equality Impact Assessment – Stage 1
Appendix B – Part 3 Scheme of Delegation

Consultees

Local Stakeholders: Not consulted

Officers Consulted: All Heads of Service; Legal Services Team

Trade Union: Not consulted

APPENDIX A

Equality Impact Assessment – Stage One

Name of item being assessed:	West Berkshire Constitution – Part 3 Scheme of Delegation
Version and release date of item (if applicable):	May 2011
Owner of item being assessed:	Andy Day
Name of assessor:	Moira Fraser
Date of assessment:	19 August 2011

1. What are the main aims of the item?
The item is to approve the amendments to the section in the Council's constitution on the Scheme of Delegation.

2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender, Race, Religion or Belief and Sexual Orientation.)
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Group Affected	What might be the effect?	Information to support this.

Further comments relating to the item:
There are not believed to be any implications affecting any groups with this item. The item is to discuss the proposed amendments in the Scheme of Delegation in the Council's constitution. This means that Officers making decisions will be required to act accordingly to Council Policy already in place, and remain neutral when making a decision.

3. Result (please tick by double-clicking on relevant box and click on 'checked')
<input type="checkbox"/> High Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/> Medium Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/> Low Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/> No Relevance - This does not need to undergo a Stage 2 Equality Impact Assessment

For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.

4. Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	19/08/11

Name: Moira Fraser

Date: 19/08/11