

**DERBYSHIRE COUNTY COUNCIL**

**25 February 2019**

**STANDARDS COMMITTEE**

**Report of the Director of Legal and Democratic Services**

**Refresh of the Constitution – Updating Report**

**1. Purpose of the Report**

To consider and approve further amendments to the Council's constitution in accordance with the recommendations from the Standards Committee meeting held on 10 January 2019 and the Meeting of Council on 6 February 2019.

**2. Information and Analysis**

Since July 2018, the Standards Committee has been concentrating on a refresh of the Council's Constitution and this culminated in the presentation of the draft revised Constitution to a meeting of Full Council on 6 February 2019.

**Terms of Reference of Committees**

In accordance with the recommendations of the Standards Committee on 10 January 2019, the version of the Constitution presented to Council included the existing terms of reference for the various Council Committees. The reason for this was that committees were still in the process of reviewing their respective terms of reference and it was acknowledged that all committees are still to conclude their work programmes for the current municipal year.

The revised terms of reference are attached at Appendix One of this report

The terms of reference for the Standards Committee are detailed within a separate report as part of this Agenda.

Once revised, it is proposed that the terms of reference for all of the Council's Committees will be listed within the Articles of the Constitution so as to aid transparency.

### Regulatory Licensing and Appeals Committee

In reviewing the terms of reference of the committees and in consideration of the proposed updated Scheme of Delegation, it has transpired that there is no longer a requirement for the Council to provide for a Regulatory Licensing and Appeals Committee. Therefore this committee will no longer feature in the revised constitution.

### Scheme of Delegation

Whilst no further revisions to the Officer Scheme of Delegation have been received following the last meeting of the Standards Committee and of Council, it is proposed, as aforementioned that the Scheme is amended to reflect that the terms of reference for the committees are transferred to the Articles.

### Member Role Profile: Chairman of the County Council

As detailed within the Report to Council, work continues to be underway in respect of the separation of the Member Role Profile of Chairman of the County Council.

It is proposed that this work be reported to a future meeting of the Standards Committee.

### Training in respect of the revised Constitution

The Chair of the Member Development Group, has invited for consideration that his Group take the lead in supporting the Standards Committee and thus sponsoring and overseeing the delivery of training to Elected Members in respect of the revised Constitution.

## **3. Legal Considerations**

The Council is required to prepare and publish a Constitution which details its governance framework and decision making principles.

## **4. Other Considerations**

In preparing this report the relevance of the following factors have also been considered: financial, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

**5. Officer's Recommendation**

The Standards Committee is invited to consider the following:

- To receive and approve the refreshed terms of reference for the Council's Committees for inclusion in the revised constitution;
- To approve the listing of the terms of reference of the committees within the Articles within the revised constitution as opposed to them being embedded within the Scheme of Delegation;
- To record that the Regulatory Licensing and Appeals Committee will not be required within the revised constitution;
- The revised Member Role Profile for the Chairman of the County Council will be considered at the next meeting of the Standards Committee;
- To approve the request received from the Chairman of the Member Development Working Group in respect of the delivery of training to all Elected Members.

**Janie Berry**  
**Director of Legal and Democratic Services**