



*St Edmundsbury*  
BOROUGH COUNCIL

# D357

## Democratic Renewal Working Party 2 May 2013

### Amendment to the Constitution: Addition to Scheme of Delegation to Officers

#### 1. Summary and reasons for recommendation

- 1.1 Members may have noticed that each time a policy or strategy is approved through Cabinet and/or full Council, the relevant officer requests delegated authority, following consultation with the relevant Portfolio Holder, to make minor amendments to the policy, in order to avoid bringing it back through Members each time a minor change is required.
- 1.2 It would make more sense to make an addition to the Scheme of Delegation to Officers to authorise Chief Officers, following consultation with the relevant Portfolio Holder(s), to make such amendments without having to request them each time a policy is created or amended.

#### 2. Recommendation

- 2.1 That the following delegation be added to the Scheme of Delegation to Officers at Part 3 of the Council's Constitution, for all Chief Officers:

"Following consultation with the relevant Portfolio Holder(s), to make any minor typographical, grammatical, factual or contextual changes to any policies or strategies approved through Cabinet or full Council, provided they do not materially affect the meaning of the document."

#### Contact Details

Name	Patricia Warby	Adriana Stapleton
Title	Chairman of the Working Party	Democratic Services Manager (Interim)
Telephone	(01284) 704138	(01284) 757613
E-mail	<a href="mailto:patricia.warby@stedsbc.gov.uk">patricia.warby@stedsbc.gov.uk</a>	<a href="mailto:adriana.stapleton@stedsc.gov.uk">adriana.stapleton@stedsc.gov.uk</a>

### **3. Corporate priorities**

3.1 The recommendation meets the following, as contained within the Corporate Plan:

(a) Corporate priority: *'working together for an efficient council'*.

### **4. Key issues**

4.1 Several new or amended policies or strategies are taken through Cabinet and/or full Council each committee cycle, and Members may have noticed that each time this occurs, it is necessary to give the relevant officer delegated authority, following consultation with the relevant Portfolio Holder, to make minor amendments to the policy, in order to avoid bringing it back through Members each time a minor change is required.

4.2 It would make more sense to make an addition to the Scheme of Delegation to Officers to authorise Chief Officers, following consultation with the relevant Portfolio Holder(s), to make such amendments without having to request them each time a policy is created or amended.

### **5. Other options considered**

5.1 The Council could choose to continue giving the delegated authority on an individual basis each time a policy is brought before Members, however, there is the risk that on occasion officers may omit this request, and the policy would then have to be brought back before Members for even minor alterations such as typographical errors. This would not be a good use of Members' time.

### **6. Community impact**

6.1 **Crime and disorder impact** *(including Section 17 of the Crime and Disorder Act 1998)*

6.1.1 Not applicable.

6.2 **Diversity and equality impact** *(including the findings of the Equality Impact Assessment)*

6.2.1 Not applicable.

6.3 **Sustainability impact** *(including completing a Sustainability Impact Assessment)*

6.3.1 Not applicable.

6.4 **Other impact** *(any other impacts affecting this report)*

6.4.1 Not applicable.

**7. Consultation** *(what consultation has been undertaken, and what were the outcomes?)*

7.1 The Democratic Renewal Working Party is consulted on any proposed changes to the Constitution, prior to these being brought through full Council.

**8. Financial and resource implications** *(including asset management implications)*

8.1 Not applicable.

**9. Risk/opportunity assessment** *(potential hazards or opportunities affecting corporate, service or project objectives)*

<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
An officer omits the request for delegated authority to make minor amendments to a policy or strategy at the time of approval, leading to minor amendments needing to be brought before Members.	Low	This addition to the Scheme of Delegation to Officers will mean that minor amendments to policies and strategies become an administrative task for officers, rather than a decision of Members.	Low

**10. Legal and policy implications**

10.1 The Constitution reflects the legislation upon which the Council's decision making process is based, and amendments such as that proposed streamline that democratic process.

**11. Wards affected**

11.1 Not applicable.

**12. Background papers**

12.1 Not applicable.

**14. Documents attached**

14.1 None.

T:\SEBC Democratic Services\Democratic WP Services\Committee\Reports\Democratic Renewal Working Party\2013\13.05.02\D357 - Amendment to Constitution.doc