

COMMITTEE REPORT

COUNCIL

14 OCTOBER 2015

UPDATE ON THE CONSTITUTION

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ASSISTANT DIRECTOR ORGANISATION AND GOVERNANCE

PURPOSE OF THE REPORT

1. To advise of recent changes effected by the Monitoring Officer under delegated powers to the Council Constitution.

BACKGROUND

2. The Council's Constitution is a live document, which from time to time requires adjustment to reflect how the Council operates. The following issues are referred to the Council for information, with recommendations to approve the changes as set out below.

RECOMMENDATION

3. It is recommended that the changes below be incorporated within the Constitution together with any inconsequential changes that remove ambiguities and correct typographic and grammatical errors.

CHANGES TO IMPROVE THE WORKING OF THE COUNCIL OR REMOVE AMBIGUITIES

4. **Changes to Contract Procedure Rules (Pages 189 – 224):**
 - Updated the 2 tables around Financial Thresholds to reflect the introduction of the new Public Contract Regulations Part B services have been removed and replaced with the Light Touch Regime. Part B services were previously fully exempt from the regulations; however, under the new Light Touch Regime there is now a requirement for an OJEU Contract Notice and Contract Award notice to be published for procurements in excess of £625,050. This change mainly effects Social Care and Education procurements.
 - New Flowchart added for Light Touch
 - Amended 5.4 to include reference to contract value due to light touch

- Included a new exemption requirement - “Where we are awaiting publication or confirmation of legislative changes that will directly impact future service delivery and the loss of the service would be detrimental to the delivery of Council services.”
- Deleted - 17.5 The *Officer* must not disclose the names of *Candidates* to any staff involved in the receipt, custody or opening of *Tenders*. **Deleted as the e-tendering system means no one knows who has tendered until the closing date and time has passed and Democratic Services have unsealed the tender.**

CHANGES TO RESPONSIBILITIES FOR FUNCTIONS – DELEGATIONS TO SPECIFIC OFFICERS

5. Insert Assistant Director Environment, Property and Commercial Services as (B) (ii) and renumber Officers’ Section thereafter **(Page 99)**.
6. The responsibilities detailed at Part 3 - Responsibility for Functions - Allocation of Functions **(Page 48 – 65)** should be delegated to the Head of Planning as follows:-

Non-Executive Functions: - A9, A12, A14, A16, A17, A18, A19, A20, A23, A27, A28, A29, A30 and A31.

Miscellaneous Functions: - Part II: Other miscellaneous functions - 46, 47 and 47A.

Local Choice Functions: - B16
7. The responsibility detailed at Part 3 - Responsibility for Functions - Allocation of Functions - Non-Executive Functions: - A30A - **(Page 50)** should be delegated to the Head of Transport and Infrastructure.

AUTHOR

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