

## CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE

<b>Date:</b> Thursday 19th December, 2024
<b>Time:</b> 1.00 pm
<b>Venue:</b> Mandela Room

### AGENDA

1. Welcome and Fire Evacuation Procedure  
  
In the event the fire alarm sounds attendees will be advised to evacuate the building via the nearest fire exit and assemble at the Bottle of Notes opposite MIMA.
2. Apologies
3. Declarations of Interest
4. Minutes of the Constitution and Member's Development Committee - 27 June 2024 3 - 6
5. Governance Support and the Constitution refresh 7 - 32
6. Any other urgent items which in the opinion of the Chair, can be considered

Charlotte Benjamin  
Director of Legal and Governance Services

Town Hall  
Middlesbrough  
Wednesday 11 December 2024

#### MEMBERSHIP

Councillors J Rostron (Chair), J Ewan (Vice-Chair), L Hurst, N Walker, G Wilson, I Morrish, J Young, I Blades and P Storey

#### **Assistance in accessing information:**

**Should you have any queries on accessing the Agenda and associated information please contact Claire Jones, 01642729112  
Claire\_jones@middlesbrough.gov.uk**

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**CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE**

A meeting of the Constitution and Members' Development Committee was held on Thursday 27 June 2024.

**PRESENT:** Councillors J Rostron (Chair), J Ewan (Vice-Chair), N Walker, G Wilson, I Morrish, J Young, I Blades and P Storey

**OFFICERS:** C Benjamin, J McNally, A Wilson and N Finnegan

**APOLOGIES FOR ABSENCE:** None

24/1 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest at this point of the meeting.

24/2 **MINUTES OF THE CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE - 30 NOVEMBER 2023**

The minutes of the Constitution and Members Development Committee held on 30 November 2023 were submitted and approved as a true record.

24/3 **COMMITTEE TERMS OF REFERENCE CHANGES**

The Head of Human Resources presented a report to the Constitution and Members' Development Committee, the report sought approval to amend the Terms of Reference for Works Council and the Staff Appeal Committee.

Members were advised that following advice from the Local Government Association (LGA) and in line with best practice it was proposed to change the Terms of Reference for Works Council and Staff Appeal Committee to reflect that a Member cannot sit on both committees in order to have a clear separation of roles. Having a good separation of roles in place was good practice in local government and had been suggested by the Chair of the Improvement Board following feedback from the LGA.

Members heard that if the proposed changes were to be agreed the following statements would be added to the current Terms of Reference for Works Council and Staff Appeal Committee:

- Works Council – Members of Works Council are prohibited from being a Member on Staff Appeal Committee.
- Staff Appeal Committee – Members of Staff Appeal Committee are prohibited from being a Member on Works Councils.

The proposed changes would promote good governance insofar as they avoid any conflict or perceived conflict of interest, in respect of the possible crossover of business between Works Council and Staff Appeal Committee.

Members were asked to agree to the following recommendations:

- Approves the changes to the Terms of Reference of the Works Council and the Staff Appeals Committee and recommends full Council approves the changes as follows:

- Works Council – Members of Works Council are prohibited from being a member on Staff Appeal Committee.
- Staff Appeal – Members of Staff Appeal Committee are prohibited from being a member on works Council.

**Agreed** as follows:

That a report be submitted to full Council to seek approval to amend the Terms of Reference of Works Council and Staff Appeal Committee.

24/4

## **MEMBER DEVELOPMENT STRATEGY WORKPLAN - DISCUSSION**

The Head of Legal (People) attended the meeting to provide an update on the Member Development Strategy and to agree the next steps to improve engagement with Members.

The Member Development Strategy 2023-2027 was approved by Council on 29<sup>th</sup> November 2023.

The Strategy sets out our commitment to supporting Members with their continuous development, and details how we will equip Members with the skills and knowledge needed to fulfil their roles effectively. It also covered how we would identify development needs; the ways in which Members could participate in continuous learning and development; and how we would evaluate and measure the success of all learning.

The Member Development Strategy aligns closely to the Council Plan and People Strategy to ensure all activities contribute to delivery of key commitments to meet the needs of our diverse communities.

Members were advised that the key issue remains engaging members in their own development and the development of others to contribute to the improvements in culture that we are trying to achieve.

In order to improve engagement the next steps were proposed for the following six months:

- **Meeting with group leaders** to discuss: Launch of a skills audit; Promotion of the personal development plans; Review of the training programme offer; Identify any issues.
- Establish the member led **Communication and Member Resources Working Group**, which included in the draft terms of reference 'To identify what, particularly online, resources may be provided to members to assist them in carrying out their role'.
- Review of **induction offer to new members** to identify how we can better deliver the induction training of any new members post the main round of elections as it doesn't lend itself easily to be delivered to one person. This would include the introduction of a buddy system - allocated Democratic Services Officer and another member for settling in/enquiries.
- Carry out a **Members Skills Audit** to assist members to identify their own strengths and development areas, helping them to plan their development journey more effectively, and to use their skills to support other members/committees in their areas of expertise.

- Refresh of the offer of the **Personal Development Plan** via targeted communication with all members, with input from group leaders
- Review of **Training and Development Offer**. Following the skills audit, review of the offer sent to all members with all available training and development options - including both internal and external resource. To include an offer for members to indicate any courses/training that they require so that this can be sourced.

This would include a particular review of the standards and code of conduct training offer, particularly with regards to their use of social media, including liaison with the LGA for a bespoke training workshop.

- **Annual review** of Members Development Strategy by way of evaluating: training evaluation forms and other feedback received, feedback through committee groups and member meetings, 1-1 meetings, statistics on Councillor participation, annual Survey

Following discussions Members suggested that training should be offered at different times due to some Members working or having caring responsibilities. Members felt that training offered on Teams could increase attendance levels.

**AGREED** as follows: Members agreed to all of the suggested next steps to improve Member engagement.

24/5

**ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

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<b>MIDDLESBROUGH COUNCIL</b>	
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<b>Report of:</b>	Director of Legal and Governance Services
<b>Submitted to:</b>	Constitution and Member Development Committee
<b>Date:</b>	19 December 2024
<b>Title:</b>	Governance Support and the Constitution refresh
<b>Report for:</b>	Information
<b>Status:</b>	Public
<b>Council Plan priority:</b>	Delivering Best Value
<b>Key decision:</b>	No
<b>Why:</b>	Report is for information only
<b>Subject to call in?:</b>	No
<b>Why:</b>	Not an Executive decision

<b>Proposed decision(s)</b>
For information only.

<b>Executive summary</b>
The Committee is asked to note the additional support secured to assist with governance and the steps taken to refresh the Constitution and to consider and provide input into the proposed amendments to the Constitution.

## **1. Purpose**

- 1.1 To update the Committee on progress towards reviewing and updating the constitution following the adoption of a revised Constitution in May 2023.

## **2. Recommendations**

- 2.1 The Committee is asked to note the additional support secured to assist with governance and the steps taken to refresh the Constitution and to consider and provide input into the proposed amendments to the Constitution.

## **3. Rationale for the recommended decision(s)**

- 3.1 To ensure that the Constitution remains up to date and relevant in the governance of the Council's activities.

## **4. Background and relevant information**

### Background

- 4.1 During 2022/23 a series of reports were presented to full Council in respect of the improvement of the Council's governance arrangements. The reports set out the Phase 1 and 2 approaches to the Council's corporate governance improvement plan. Those plans were put in place to address the corporate governance concerns identified by Ernst and Young (EY), the Council's External Auditor, on the Annual Audit Results Report, and considered by Corporate Affairs and Audit Committee on 22 July 2022.
- 4.2 Phase One of the improvement journey involved CIPFA being commissioned to provide an independent review of the Council's culture and governance. This was completed and reported to Council on 11 October 2022 along with a report identifying that task and finish working groups would be convened to focus on:
  - 4.2.1 Roles and Responsibilities
  - 4.2.2 Training and Development
  - 4.2.3 The Constitution
  - 4.2.4 Culture and Communications
- 4.3 Phase Two of the governance improvement journey focused on gathering evidence from officers and Members as to:
  - 4.3.1 The Member and Officer Protocol
  - 4.3.2 A People Strategy
  - 4.3.3 Development of a communications protocol for officers and members
  - 4.3.4 Improved Member access to staff outside of formal meetings
  - 4.3.5 Alignment of Executive Member portfolios with officer and scrutiny panel structures;



#### 4.3.6 Inductions.

4.4 On 24 January 2023, the Department for Levelling Up, Housing and Communities (DLUHC) issued a Best Value Notice against the Council. This was formal notification that DLUHC had concerns about the Council in relation to:

4.4.1 Serious concerns highlighted by the external auditor, published in July 2022, around governance arrangements; and

4.4.2 Cultural and governance issues further investigated in the CIPFA review published in September 2022.

4.5 On 18 September 2023, Council received a report that set out the activities of Phase Three of the proposed Corporate Governance Improvement Plan, alongside the associated governance arrangements providing oversight of delivery. It also received a report from the Council's External Auditors which made statutory recommendations in relation to the Council's governance. Phase 3 of the improvement journey focuses on four key themes:

4.5.1 Financial Recovery and Resilience

4.5.2 Cultural Transformation

4.5.3 Social Care

4.5.4 Regeneration / Sustainability.

4.6 On 16 October 2024, Council received a report updating it on the progress made against the action plan put in place in response to the report, as well as an update on delivery against the Corporate Governance Improvement Plan. Members will recall that the improvement plan comprised ten workstreams, each with a milestone delivery plan monitored and reported monthly to the Leadership Team, the Independent Improvement Advisory Board and at each full Council.

4.7 The Council's Monitoring Officer identified that insufficient capacity existed within the Council to deliver some of the actions set out within the improvement plan. Accordingly she identified a budget for focused external support for the governance improvement plan. She considered that the appropriate support would be an experienced local government lawyer with expertise in governance and has now retained a locum Governance Solicitor for this purpose.

#### Actions

4.8 The Corporate Governance Improvement Plan actions that are being particularly focused on by the locum governance solicitor are as follows:

4.8.1 Refreshing the Constitution to ensure that it is accurate and current.

4.8.2 Updating the Scheme of Delegations to Officers.

- 4.9 Contact has already been made with the Council's Leadership Management Team in respect of issues identified with the current constitution with a view to ensuring that all issues are captured and addressed holistically. The views of Members are now sought through the Constitution and Member Development Committee.

### Constitution

- 4.10 Members will be aware that the Council adopted a revised constitution format in May 2023, intended to make the constitution more accessible and user friendly. As this has now been in operation for more than one municipal year, it is appropriate that a review of the current constitution is undertaken. In any event, a council's Constitution is a living document that evolves continuously to reflect the ever changing environment in which the Council operates. The Monitoring Officer therefore has ongoing responsibility for ensuring that the Constitution remains accurate and lawful, and has delegated authority to make such changes, which are then reported to the next meeting of Council.
- 4.11 However, since the updated Constitution was adopted, it has become apparent that there is some duplication in parts, and also some areas which are inconsistent or appear to conflict. It is therefore important that the whole Constitution is reviewed as one coherent document with a view to ironing out any duplication or inconsistency and ensuring that the Constitution appropriately reflects the Council's governance and operating arrangements.
- 4.12 It is proposed that the method of presenting proposed changes to the Constitution takes a number of formats to make it as easy as possible for Members to follow the changes. It is intended that the revisions to the Constitution will be available as:
- 4.12.1 A Microsoft Word document with all text changes identifiable through track changes, allowing Members to determine the extent of revisions that they wish to see;
  - 4.12.2 A tabular side by side comparison of text, with the rationale for amendment sitting between the current text and the proposed text.
  - 4.12.3 "Clean" copies of the proposed constitution and the current constitution to enable Members to compare the old and new versions however they see fit.

It is not proposed that substantial volumes of copies of the draft constitution are printed however members views are sought on which, if any, of the above methods is the most preferred to show demonstrate the changes to the constitution.

### Scheme of Delegation

- 4.13 Officers are able to act on behalf of the Council only in accordance with the authority delegated to them. This should be recorded within a Scheme of Delegation, which sets out which body has delegated what function to each Chief Officer of the Council. Provided they are not prohibited from doing so, each Chief Officer may then document how they wish to sub-delegate those functions to their officers in a scheme of sub-delegation.

- 4.14 To date, there appears to have been little consistency in respect of the presentation of the Scheme of Delegation, or the sub-schemes of delegation. Accordingly, it is proposed that a corporate Scheme of Delegation is adopted, developed in consultation with the new Chief Executive, to ensure that officers, Members and the public can identify:
- 4.14.1 which function is the responsibility of which Directorate;
  - 4.14.2 whether the decision is executive or non-executive in nature; and
  - 4.14.3 to whom the function has been sub-delegated. T
- 4.15 The Schemes of Delegation will be published and officers encouraged to ensure they proactively consult the Scheme when identifying the appropriate decision making process to use.

**Governance Improvement**

- 4.16 Once the Constitution is update and the Schemes of Delegation are appropriately populated, officers and Members will be provided with the opportunity to attend awareness raising sessions to become familiar with the operation of the updated provisions.
- 4.17 To improve confidence and awareness, individuals will be sought to act as champions or points of contact in relation to the constitution in the hope that Members and officers will build the confidence to use the Constitution as their first point of reference, rather than seeking advice from the Monitoring Officer.
- 4.18 Having clear and consistent approaches to matters such as questions, motions and petitions should ensure that less officer resource is spent interpreting the Constitution, thus also freeing up some senior officer and democratic services capacity.

**Actions to be taken to implement the recommended decision(s)**

Action	Responsible Officer	Deadline
Not applicable – report for information only		

**Appendices**

Presentation to the committee to follow.

**Contact:** Charlotte Benjamin  
**Email:** charlotte\_benjamin@middlesbrough.gov.uk

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# Governance Improvement

Clare Pattinson

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Middlesbrough  
moving forward

# A bit about me.....

- Working in local government legal department for 20+ years
- District, unitary and combined authority
- Appointed Monitoring Officer / Deputy at 7 authorities
- Experienced in drafting, revising and interpreting constitutions
- Familiar with the judicial reviews that occur when there are failings of governance, especially around schemes of delegation

# What have I been asked to do?

- Review your constitution to iron out some issues that have been identified since it was adopted in 2023
- Review / create a suitable scheme of delegation that reflects what the Council has delegated to officers and provides clarity to members and officers
- Facilitate the update of both in consultation with officers and members

# What are the issues with the constitution?

- Duplication
- Contradiction / inconsistent
- Incomplete
- Hard to navigate

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# Constitution review process

- ✓ Read and make notes on the constitution
- ✓ Get views of Democratic Services and MO / DMO what issues are
- Invite officers to provide views on the constitution
- Seek views of members
- Update the constitution

# Constitution review presentation

- Track changed Microsoft Word version – all changes able to be seen in one document
- 3 column table showing current paragraph, the issue, and the proposed solution
- PDF complete current constitution and complete proposed constitution

AutoSave On Draft constitution December 2024 • Saved Search Clare Pattinson CP Comments Reviewing Share

# 1 Introduction

This section explains how the Council operates. It summarises the main provisions of this Constitution. If you would like to see the detailed provisions in relation to a particular Council function, you should refer to the relevant section of the Constitution.

Capitalised words used in this section 1 (and throughout the Constitution) are defined in section 2.2.

## 1.1 What is the Constitution?

1.1.1 The Constitution sets out how the Council operates, how decisions are made, and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by law, while others are a matter for the Council to determine. The Constitution is adopted, and amended, by the Full Council

1.1.2 The Constitution contains 24 sections which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are set out in separate rules and protocols at the end of this document.

## 1.2 How does the Council operate?

1.2.1 The Council is composed of a Mayor and 46 Councillors. The Full Council elects a Chair of the Council and decides the Council's overall policies and Budget each year (see further the Budget and Policy Procedure Rules at Section 17 of this constitution). It also appoints various Committees to undertake functions it delegates to them.

1.2.2 The Mayor is directly elected by the electors of the Borough, normally for four years. The Mayoral election is held on the same day that Councillors are elected to represent each of the Wards within the Borough, which usually takes place on the first Thursday of May every 4 years. The last election was in 2023.

1.2.3 The Mayor and the Councillors are collectively known as "Members" of the

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URN	Section	Para no.	What it says	Issue	Proposed solution
	Index		Word version of constitution does not provide for Appendices 3 – 5. Internet pdf version has two Appendix 2's and ends at 5 instead of 6.	Index needs to be accurate once the constitution is thoroughly updated	Apply correct sequential numbering
	1 – Introduction		This section explains how the Council operates. It summarises the main provisions of the Constitution. If you would like to see the detailed provisions in relation to a particular Council function, you should refer to the relevant section of the Constitution. Capitalised words used in this section 1 (and throughout the Constitution) are defined in section 2.2.	<ul style="list-style-type: none"> <li>- Minor amendment to improve readability.</li> <li>- Left justification of text throughout the document to comply with accessibility standards</li> </ul>	<p>This section explains how the Council operates. It summarises the main provisions of this Constitution. If you would like to see the detailed provisions in relation to a particular Council function, you should refer to the relevant section of the Constitution.</p> <p>Capitalised words used in this section 1 (and throughout the Constitution) are defined in section 2.2.</p>
	1 – Introduction	1.1.1	The Constitution sets out how the Council operates, how decisions are made, and the procedures which are followed to ensure that these are efficient, <u>transparent</u> and accountable to local people. Some of these processes are required by law, while others are a matter for the Council to determine	Minor amendment to include that the constitution is adopted and amended by full Council.	1.1.1 The Constitution sets out how the Council operates, how decisions are made, and the procedures which are followed to ensure that these are efficient, <u>transparent</u> and accountable to local people. Some of these processes are required by law, while others are a matter for the Council to determine. The Constitution is adopted, and amended, by the Full Council
	1 – Introduction	1.1.2	No change proposed		

# Scheme of Delegation review

- The schemes of delegation evidence the unbroken golden thread from legislation to action
- Should distinguish between what is an executive function and what is a non-executive function
- Different rules apply to executive and non-executive functions – how they are publicised, recorded and scrutinised

# Scheme of Delegation principles

- Identify posts not individuals
- Make the delegations clear but as broad as possible
- Try and keep classifications of officers broadly consistent across the council
- Demonstrate the clear unbroken link from statute through the members to officers and down to junior officers for each function delegated

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**DELEGATED POWERS**  
**◀ SCHEDULE OF LEGISLATION**

Officers within the Public Protection Service, insofar as they hold any requisite competencies and qualifications are authorised as stipulated in the attached Appendix 1: Scheme of Delegation (and following any necessary consultation and/or approval) to act on behalf of the Council in respect of the legislation set out below and any subsidiary legislation made thereunder, including any subsequent legislation within the remit of this service.

<u>Legislation</u>	<u>Restriction</u>
Accommodation Agencies Act 1953	
Administration of Justice Act 1970	
Agriculture Act 1970	
Agriculture (Miscellaneous Provisions) Act 1968	Section 40
Air Quality (Domestic Solid Fuels <u>Standards</u> )(England) Regulations 2020	Provisions relating to <u>fertilisers</u>
Animal Feed (Composition, Marketing and Use) (England) Regulations 2015	and feeding stuffs (Section 67)
Animal Feed (Hygiene Sampling etc and Enforcement) (England) Regulations 2015	
Animal By-Products (Enforcement) (England) Regulations 2011	
Animal Health Act 1981	

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**The following matters are delegated to the Director of Legal and Democratic Services:**

To act as Proper Officer for the purposes of the Local Government Acts 1972 and 2000 and all Regulations made there under other than those Proper Officer functions delegated to the Corporate Director of Resources in connection with the administration of the Council's financial affairs. This delegation shall not derogate from the general delegation under Table 1 paragraph 8.

15. To carry out the Proper Officer functions relating to the freedom of the City under the Durham City Council Act 1985.
16. To act as Proper Officer for the Registration of Births, Deaths and Marriages Service pursuant to Schedule 29 paragraph 41 of the Local Government Act 1972 including administration of the arrangements for the licensing of premises under the Marriage Act and the appointment of staff.
17. To approve premises for the solemnization of marriages and the registration of civil partnerships
18. To amend the Constitution where necessary to reflect changes in the law or decisions of council bodies or to correct inaccuracies.
19. To prepare, negotiate and agree all legal documentation in relation to all land and property in the Council's ownership or for the acquisition of land and property by the Council.
20. To prepare, negotiate and agree all legal documentation other than those contained in paragraph 19 relating to or affecting the functions of the Council.
21. To sign or attest the Council's seal in all legal documents referred to in paragraphs 19 and 20 and all other legal documentation intended to give effect to decisions of the Council.
22. To sign or attest the Council's seal to all documents referred to in paragraph 19.
23. To prepare, negotiate and agree all legal documentation in relation to all land and property held by the Council as a trustee.



**Constitutional Affairs**

<b>Nature of Decision</b>	<b>Officers</b>	<b>Conditions</b>
To make in year changes to the membership of committees, and joint boards and committees and to make in year nominations or appointments to outside bodies.	Director of Law and Governance	In consultation with the Leaders of the political groups represented on the Council.

North Northamptonshire Council Constitution – Part 9.2. – Officer Scheme of Delegation

<b>Nature of Decision</b>	<b>Officers</b>	<b>Conditions</b>
To make minor administrative changes to the constitution to ensure legal compliance with changes in the law, changes to the Council's management structure or other changes with no significant impact.	Director of Law and Governance	
Granting dispensations to councillors, co-opted members and church and parent school governor representatives from requirements relating to interests set out in the Member Code of Conduct.	Director of Law and Governance	Shall be determined by the Democracy and Standards Committee unless considered urgent. An annual summary of the Monitoring Officers use of delegation shall be provided to the Democracy and Standards Committee.
Conducting investigations into allegations of breaches of the Code of Conduct by members and co-opted members.	Director of Law and Governance	Following the Standards Sub Committee assessing the complaint and determining that an investigation should be conducted.
Granting dispensations to members of decision-making bodies charged with making executive decisions in respect of any conflict of interest which the member declares.	Director of Law and Governance	Shall be determined by the Democracy and Standards Committee unless considered urgent. An annual summary of the Monitoring Officers use of delegation shall be provided to the Democracy and Standards Committee.

**Planning, Regulation, Licensing and Registration**

<b>Nature of Decision</b>	<b>Officers</b>	<b>Conditions</b>
All matters relating to Town & Country Planning functions as set out in the planning and related Acts, are delegated to the relevant senior planning officer to determine, other than the exceptions listed	Executive Director of Place and Economy  Delegation 1	Delegated authority should not be exercised for applications, which in the opinion of the relevant senior planning officer should be referred to the relevant Planning Committee. This may be for reasons such as (but not exclusively):  (i) Applications where a national or local planning policy is being tested for the first time within the Council's area (ii) Applications which have a finely

*Officer Delegation Scheme (Council (non-executive) functions)*

**Director of Strategy & Resources**

1. Subject to the Exception listed below, the Director of Strategy & Resources<sup>1</sup> is authorised to discharge the following Council (non-executive) functions:

**Functions relating to Human Resources**

(a)	Functions relating to local government pensions, etc	Regulations under section 7, 12 or 24 of the Superannuation Act 1972
(b)	To make arrangements to consider and determine employee appeals in relation to grievances, grading and dismissal <sup>2</sup>	Section 112 Local Government Act 1972
(c)	To determine employee terms and conditions	Section 112 Local Government Act 1972

**Functions relating to standing orders**

(a)	To make standing orders in relation to Officer Employment	Section 106 of, and paragraph 42 of Schedule 12 to the Local Government Act 1972
(b)	To make standing orders as to contracts	Section 135 of the Local Government Act 1972

**Regulatory functions**

(a)	To issue licences authorising the use of land as a caravan site ("site licences")	Section 3(3) of the Caravan Sites and Control of Development Act 1960
(b)	To license the use of moveable dwellings and camping sites	Section 269(1) of the Public Health Act 1936

Article	Function Delegated	Officer to whom delegated	Terms and Conditions
12.2	To advise whether executive decisions are within the budget and policy framework	Not delegated	
12.2	To contribute to the Corporate Management of the Council	Not delegated	
12.2	To provide advice to Councillors	<ul style="list-style-type: none"> <li>• Managers</li> <li>• Section Heads</li> <li>• Team Leaders</li> <li>• Procurement and Commercial Services Managers</li> <li>• Procurement and Commercial Services Solicitors</li> </ul>	
12.2	To report to the Council as necessary on the staff, accommodation and resources she requires to discharge his/her statutory functions	Not delegated	
12.2	To receive copies of certificates under the Local Authorities (Contracts) Regulations 1997	Not delegated	
15.1	To monitor and review the Constitution	Legal Services Heads of Service	
15.2	To make changes to the Constitution	Legal Services Heads of Service	To make any changes to any Part of the Constitution which are required as a result of legislative change or decisions of the Council <sup>8</sup> or Executive <sup>9</sup> to enable him/her to maintain it up to date; or for the purposes of clarification only or where the Monitoring Officer is of the opinion such changes are de minimis and required for administrative or updating purposes only and for which there is unanimous agreement between the Leader <sup>11</sup> of each political group.

<sup>8</sup> Including Council Committees and Officers acting under delegated authority.

<sup>9</sup> Including Committees of the Executive and Officers acting under delegated authority.

<sup>11</sup> Or in their absence, their deputy or Group Whip

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**Officer Delegation – Director Legal & Governance**

	Function	Officer Level				Source of Delegation
		1	2	3	4	
	Delegated authority to authorise any variation from the agreed price of less than £150,000 if required in respect of the Disposal of the Council's freehold interest in land at <a href="#">Beechwood</a>	Director of Legal and Governance				Council's Asset Disposal Policy <a href="#">Executive</a> – 17 March 2020
	Ability to authorise Special Severance Payments of up to £20,000.	Director of Legal and Governance				Sections 3 and 26 of the Local Government Act 1999.

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# How can you help?

- ✓ Speak to your group about the constitution and what you want to achieve by the review
- ✓ Encourage groups / individuals to send issues to me
- ✓ Be a constitution champion

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Middlesbrough  
moving forward

# How can you respond?

<https://forms.office.com/e/Kwtt9jquhW>

Clare\_Pattinson@middlesbrough.gov.uk



# Timeline

December – February      Consultation with officers and members

March 2025                      Cabinet consideration

May 2025                        Council adopt revised constitution



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