

**STROUD DISTRICT COUNCIL**  
**COUNCIL**

**AGENDA  
ITEM NO**

**22 OCTOBER 2020**

**9**

<b>Report Title</b>	<b>CONSTITUTION AMENDMENTS</b>			
<b>Purpose of Report</b>	To make changes to the Constitution.			
<b>Decision(s)</b>	<b>It is recommended that Council RESOLVES to adopt the amended Scheme of Delegation and any consequential changes to rules of procedure arising from the new Scheme</b>			
<b>Consultation and Feedback</b>	These are administrative changes to reflect the Senior Management Structure and the delegation of functions to Tewkesbury Borough Council (One Legal) which have all been subject to reports to Strategy and Resources Committee			
<b>Report Author</b>	Patrick Arran - Monitoring Officer Email: <a href="mailto:patrick.arran@stroud.gov.uk">patrick.arran@stroud.gov.uk</a>			
<b>Options</b>	Council can accept the recommendation, decide to amend the recommended documents or refuse to accept the recommendation.			
<b>Background Papers</b>	None			
<b>Appendices</b>	Appendix A – Proposed Amendments Scheme of Delegation Appendix B - Proposed Amendments Scheme of Delegation – Clean Copy			
<b>Implications</b>	Financial	Legal	Equality	Environmental
	No	No	No	No

1. The existing Scheme of Delegation refers to the previous Senior Management Team and whilst it allows for changes to roles and job titles, the Scheme should be accurate. This was something which is on the work plan for the Constitution Working Group, but due to the intervention of the Covid emergency, it has not been progressed.
2. On the 1<sup>st</sup> of October 2020, the Legal Services function and staff transferred to Tewkesbury Borough Council (One Legal). An agreement under Section 101 of the Local Government Act 1972 was concluded on the 30<sup>th</sup> of September 2020 and this delegated legal functions to Tewkesbury Borough Council. This has to be regularised in the Scheme of Delegation and consequential changes need to be made to certain procedure rules and protocols which will be listed below.
3. The Monitoring Officer has delegated authority to make changes to the Scheme of Delegation arising from decisions of Council or its committees; however, this report is to highlight the changes due to their nature and for visibility of the delegations. It is though essentially a housekeeping exercise.
4. In addition, the record of authorisations (sub-delegations) arising from these changes has also been amended and in future will form an appendix to the Scheme of Delegation for ease of reference.
5. The following documents have been amended to remove / amend references to Head of Legal Services & Monitoring Officer:

- Contract Procedure Rules
  - Council Procedures Rules
  - Financial Procedure Rules
  - Members Scheme of Allowances
  - Planning Code of Conduct
6. Save that changes to the Constitution are a Council function, there are no other legal implications arising from this decision.
  7. There are no financial, equality or environmental implications arising from this decision.