

REPORT OF STANDARDS COMMITTEE 01/2021-22

FULL COUNCIL 19 July 2021

Chair: Councillor Opoku

1. INTRODUCTION

- 1.1 This report from the Standards Committee, arises from consideration of the attached reports at Annex 1 and Annex 2 considered at the meeting on 29 June 2021 and asks Full Council to consider the following:
- Proposed amendments to the Constitution in relation to the recruitment of statutory officers.
 - Proposed amendments to the Constitution in relation to executive functions.
- 1.2 The full recommendations for each item are included in this Council report and the attached appendices.

2. PROPOSED AMENDMENTS TO THE CONSTITUTION (RECRUITMENT OF STATUTORY OFFICERS)

- 2.1 Standards Committee considered the report at Annex 1 which was proposed to take forward the recommendations of the Staffing and Remuneration Committee to amend the Constitution to ensure that members remained responsible for taking steps for the appointment of the Monitoring Officer and to ensure the Monitoring Officer was correctly referred to within the Constitution.
- 2.2 We heard that, under Section K of the constitution, all Directors and Assistant Directors were appointed by the Staffing and Remuneration Committee.
- 2.3 We also heard that the Assistant Director of Corporate Governance role, which included the statutory Monitoring Officer function, had recently been deleted and a Head of Legal and Governance (Monitoring Officer) role had been introduced. It was explained that this change had inadvertently resulted in the appointment of the Monitoring Officer falling outside of the Staffing and Remuneration Committee remit.
- 2.4 It was noted that all other statutory officers were included in the remit of the Staffing and Remuneration Committee, and it was considered that the appointment of the Monitoring Officer should be included.
- 2.5 We noted that the Staffing and Remuneration Committee had considered the proposal at its meeting on 16 March 2021 and supported the proposed amendments to the Constitution.

- 2.6 We considered the proposals and agreed to the proposed amendments.
- 2.7 We also agreed to recommend that the reference to European elections in Article 3.02 of the Constitution should be removed as the United Kingdom would no longer have European elections following its departure from the European Union.

3. WE RECOMMEND

That Full Council is asked:

- 3.1 To approve the amendments to the Constitution set out in Appendices 1 to 5.
- 3.2 To approve the amendments to Article 3.02 of the Constitution to remove the reference to European elections set out in Appendix 1.

4. PROPOSED AMENDMENTS TO THE CONSTITUTION (EXECUTIVE FUNCTIONS)

- 4.1 Standards Committee considered the report at Annex 2. It was proposed that authority to take certain small and non-controversial decisions on traffic orders be included in the Officer Scheme of Delegation for Environment and Neighbourhoods with some safeguards in place,
- 4.2 It was noted that, following compilation of recent Highways and Parking reports to Cabinet, delegation had been sought for small non-controversial traffic orders to be delegated to officers. However, this could not be taken forward and added to these reports as a recommendation as current constitutional provision would require approval by Cabinet. It was considered that this inhibited the progress and delivery of schemes.
- 4.3 It was explained that small traffic management schemes which were costed below £100k would be taken by officer delegated decision in consultation with the Cabinet Member with the relevant portfolio. These would be deemed officer delegated decisions that would be published on the Council's website and available for public view.
- 4.4 In relation to medium to large traffic management schemes that did not generate wider interest, did not affect multiple wards, but that raised more than 10 objections would be taken forward as non-key decisions by the Cabinet Member with responsibility for the relevant portfolio. The report and decision notice would be published five clear working days before the decision was taken and the Cabinet Member would make the decision through an individual signing. The decision would be published on the website and there would be no call-in as it was not a key decision.
- 4.5 In relation to large traffic management schemes that would have an impact on multiple wards and would have a significant public interest would be taken

forward by Cabinet. This would allow consideration of deputations and the decisions would be subject to call-in.

- 4.6 It was also proposed to update some inaccurate terminology which referred to 'Traffic Regulation Orders'.
- 4.7 The Chair noted that the proposals had been considered by the appropriate Cabinet Members and that no objections had been raised.
- 4.8 We considered the proposals and agreed to the proposed amendments.

5. WE RECOMMEND

That Full Council is asked:

- 5.1 To approve the amendments to the Constitution set out in Appendix 6.