

**REPORT FROM:** CHIEF EXECUTIVE

**TO:** COUNCIL

**DATE:** 18<sup>th</sup> MAY 2023

**Report Author:** Rose Rouse

**E-mail:** [rose.rouse@pendle.gov.uk](mailto:rose.rouse@pendle.gov.uk)

**MOVE TO AN EXECUTIVE FORM OF GOVERNANCE  
APPROVAL OF A NEW CONSTITUTION**

**PURPOSE OF REPORT:**

To put forward for adoption a revised constitution to provide the framework for the governance of the Council under the new Executive Function.

**RECOMMENDATION**

That the revised Constitution be adopted (including the changes referred to in paragraph 4).

**REASONS FOR RECOMMENDATION**

To provide the framework for the governance of the Council under the new Executive Function.

1. At its meeting in May 2022 the Council decided to move to an Executive form of governance with effect from this years' Annual meeting. The Council's Constitution has been revised and updated accordingly.

2. The Constitution is divided into seven Parts as described below.

**Part 1** Summary and Contents – an overview of the committee system of governance and a table of contents.

**Part 2** Articles of the Constitution – these outline the arrangements for the governance of the Council, including roles of councillors, committees, senior officers, rights of members of the public as well as financial and legal matters.

**Part 3** Responsibility for Functions – the specific roles and responsibilities of the full Council, the different committees, Council officers and proper officer and statutory officer appointments.

**Part 4** Rules of Procedure - for Council meetings, Committee meetings, Access to Information, the Financial Framework and the making of Contracts.

**Part 5** Codes and Protocols – covering Member Conduct, Employee Conduct, Staff Employment, Member/Officer Relationships, Role of a Councillor, Petition Scheme, Recording of Council meetings.

**Part 6** The Members' Allowances Scheme.

**Part 7** Organisation Structure.

3. Changes have been made throughout the document to take account of legislation and guidance, new titles of committees, officers and other bodies as well as best practice.

4. Council's attention is drawn to the following changes:

Part 3 – a Key Decision has been set at £100,000 and amendments to the terms of reference for the Area Committees

Part 4 – changes in relation to the start time of meetings and their duration; limit to the number of questions and notices of motions that can be submitted.

5. Following adoption of the new Constitution it will be published on the Council's website.

## **IMPLICATIONS**

**Policy:** The adoption of the new Constitution is a key element of the steps to implement the Council decision of 18<sup>th</sup> May 2023 to move to a Cabinet and Executive system of governance.

**Financial:** None arising directly from the report.

**Legal:** The Constitution sets out the legal framework in which the Council will operate and provides a reference for the good governance of the Council.

**Risk Management:** None arising directly from the report.

**Health and Safety:** None arising directly from the report.

**Sustainability:** None arising directly from the report.

**Community Safety:** None arising directly from the report.

**Equality and Diversity:** None arising directly from the report.

## **Appendices**

The following appendices can be found on the Council's website [www.pendle.gov.uk](http://www.pendle.gov.uk) and by clicking on the link below:

Part 1, 2, 3 and 4 of the Constitution of the Borough Council of Pendle  
Officer Delegation Scheme

[Agendas, reports and minutes | Pendle Borough Council](http://www.pendle.gov.uk)