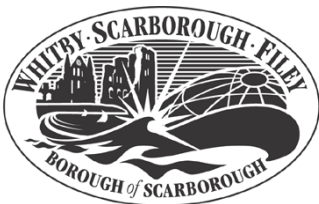


'A' ITEM

| | | |
|---|--|---|
|  | REPORT TO CABINET TO BE HELD ON 12 DECEMBER 2017 | |
| | Key Decision | NO |
| Corporate Aims Council | Forward Plan Ref No Cabinet Portfolio Holders | The Leader and Cllr Turner |

REPORT OF: Director (LD) – 17/273

WARDS AFFECTED: All

SUBJECT: REVISIONS TO THE CONSTITUTION

RECOMMENDATION (S):

That the Council be recommended:

- (i) to note the amendments to the Individual Cabinet Member Delegation Scheme in Schedule 2 of the Constitution as outlined in Appendix B of the report;
- (i) to note that amendments are required to the Constitution, principally to the Scheme of Delegation to Officers, resulting from changes to the responsibilities of senior management in connection with the creation of the new Director (Commercialisation) position; and
- (ii) to delegate authority to the Monitoring Officer to finalise the detail of these amendments.

REASON FOR RECOMMENDATION (S):

- To clarify for Members the extent of revisions required to the Constitution resulting from changes in the Council's management structure
- To seek authority from Members to finalise the detail of these amendments

HIGHLIGHTED RISKS: See Risk Matrix at Appendix A

1. INTRODUCTION

- 1.1 The Council is required to review its Constitution at least every four years. In practice, the Constitution functions as a living document which requires more regular updates to reflect changes in national policy and changes in the Council's approach to the management of its business.

2. CORPORATE AIMS

- 2.1 Ensuring the Constitution is kept up to date supports the Corporate Aim of an efficient and effective Council.

3. BACKGROUND AND ISSUES

Amendments to the Individual Cabinet Member Delegation Scheme

- 3.2 In accordance with the powers delegated to the Leader by virtue of Part 3, Schedule 2 (paragraphs 1.1 and 1.4) of the Constitution, the Leader has determined to amend the Individual Cabinet Member Delegation Scheme in Schedule 2 paragraph 1.8 of the Constitution as outlined in Appendix B of this report. The new powers come into effect on 12 December 2017.

Creation of the new post of Director (Commercialisation)

- 3.1 In seeking to fill the vacant position of Director in April this year, the Appointments Committee agreed that the job description and person specification for the post be revised to focus on commercialisation. This new focus highlights the importance of commercialisation within the Council's Efficiency Plan, Budget Strategy and Transformation Programme, but also entailed a reassessment of the specific services reporting to each of the Chief Officer posts.
- 3.2 Mr Richard Bradley joined the Council as the new Director at the end of October 2017 as part of a revised management structure with the re-aligned service areas set out in Appendix C. The re-alignment of service areas requires substantial changes principally to the Scheme of Delegation to Officers at Schedule 3 in the Constitution to ensure that the powers and duties delegated to each Chief Officer (and their sub-delegations) accord with their functional responsibilities.

4. CONSULTATION

- 4.1 Not applicable.

5. ASSESSMENT

- 5.1 This report outlines the amendments to the Individual Cabinet Member Delegation Scheme in Schedule 2 paragraph 1.8 of the Constitution and the extent of revisions required to the Constitution principally in Schedule 3 whilst

recommending that authority be delegated to the Monitoring Officer to finalise the detail of these latter amendments.

6. IMPLICATIONS

- 6.1 **Policy/ Legal-** the Constitution is required to be kept up to date by the Monitoring Officer.
- 6.2 **Financial Implications-** None
- 6.3 **Sustainability -** None
- 6.4 **Equality and Diversity –**None
- 6.5 **Communications –** not applicable
- 6.6 I have considered whether any staffing, planning, and crime and disorder implications arise from this report and am satisfied that there is no identified implication that will arise from this decision.



Lisa Dixon
Director

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Background Papers:
None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT THE AUTHOR.

APPENDIX A

Risk Matrix

| Risk Ref | Date | Risk | Consequences | Mitigation | Current Risk Score | Target Score | Service Unit Manager/ Responsible Officer | Action Plan |
|-----------------|---------------|-------------------------------------|---|---|---------------------------|---------------------|--|--------------------|
| 1 | December 2017 | Constitution is not kept up to date | Decisions made by the Council could be subject to legal challenge | Ensure the Constitution is regularly reviewed and updated | B4 | A2 | Regulatory and Governance Manager | None |

Glossary of Terms

Risk

An event which may prevent the Council achieving its objectives

Consequences

The outcome if the risk materialised

Mitigation

The processes and procedures that are in place to reduce the risk

Current Risk Score

The likelihood and impact score with the current mitigation measures in place

Target Risk Score

The likelihood and impact score that the Council is aiming to achieve

Service Unit Manager

The Service Unit or Officer responsible for managing the risk

Action Plan

The proposed actions to be implemented in order to reduce the risk to the target score

Risk Scoring

| | | | | | | |
|--------|------------|---|---|---|---|---|
| Impact | 5 | | | | | |
| | 4 | | | | | |
| | 3 | | | | | |
| | 2 | | | | | |
| | 1 | | | | | |
| | | A | B | C | D | E |
| | Likelihood | | | | | |

Likelihood:

A = Very Low

B = Not Likely

C = Likely

D = Very Likely

E = Almost Certain

Impact

1 = Low

2 = Minor

3 = Medium

4 = Major

5 = Disaster

APPENDIX B

| Cabinet Member | Functional Areas | | | Portfolio |
|-----------------------|--|--|----------------------------------|-------------------------|
| Cllr Derek Bastiman | Regeneration Strategic Land | Leadership Economic Development Strategic Transport | | Leadership |
| Cllr Mike Cockerill | Major Projects Harbours | | | Major Projects |
| Cllr Sandra Turner | Communications HR Employment Skills | Community Wellbeing Benefits Elections | Democratic Services Local Tax | Communities |
| Cllr Helen Mallory | Estates Corporate Investment | Corporate Finance | Treasury & Risk Management | Corporate Investment |
| Cllr John Nock | Regulation & Governance Information Security Procurement & Print Legal Audit & Fraud | Local Land Charges | | Legal and Governance |
| Cllr Andrew Jenkinson | Car Parking Civic Development & Operation of Leisure Facilities | Museums & Art Gallery (Countryside Services) Parks & Gardens Asset Management | Public Conveniences | Leisure |
| Cllr Bill Chatt | Environmental Regulations & Resilience Housing Markets | Crematoria & Cemeteries Waste Collection & Recycling Street Scene | | Public Health & Housing |
| Cllr Joe Plant | Transformation ICT Planning | Town Centre Management | | Transformation |

APPENDIX C

| Chief Executive (Jim Dillon) | Director (Richard Bradley) | Director (Lisa Dixon) | Director (Nick Edwards) |
|--|--|---|---|
| | | | |
| Transformation, Elections and Civic | Regeneration | Regulation and Governance | Corporate Finance |
| Projects | Estates/Strategic Land | Operations and Events | Benefits |
| Audit and Fraud | Planning Services | Procurement and Print | Harbours |
| ICT Delivery | Tourism and Marketing | Legal Services | Operations, Transport and Countryside Services |
| Human Resources | Customers, Communities and Partnerships | Environmental, Regulation and Resilience | Housing |
| | | | Asset and Risk Management |

