

TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

22 April 2008

Report of the Monitoring Officer

Part 1- Public

Matters For Decision

1 UPDATES TO THE CONSTITUTION

1.1 Introduction

- 1.1.1 At its meeting on 3 April 2008 the Council's General Purposes Committee, amongst other things, resolved that responsibility for dealing with the Council's responsibilities in respect of abandoned vehicles be transferred to the Director of Health and Housing and the Council's Constitution be amended accordingly
- 1.1.2 The Constitution currently provides that the authority to carry out this function is delegated to the Director of Planning, Transport and Leisure. This delegation needs to be transferred to the Director of Health and Housing.
- 1.1.3 Article 15 in Part 2 of the Constitution sets out the procedure for review and revision of the constitution. Changes to the Constitution may only be approved by the full Council after consideration of a report on the proposal from the Council's Monitoring Officer. In preparing the report, the Monitoring Officer is required, amongst other things, to compare practices in this authority with those in other comparable authorities and national examples of best practice (where appropriate). He is also required to consult the Council's other statutory officers, the Head of Paid Service and the Chief Financial Officer, which I have done in respect of the proposals contained in this report.

1.2 Financial and Value for Money Considerations

- 1.2.1 None beyond those identified in the report to General Purposes Committee referred to previously.

1.3 Risk Assessment

- 1.3.1 This is as set out in the report to the General Purposes Committee previously referred to.

1.4 Legal Implications

- 1.4.1 The changes to the Constitution are necessary to allow the transferred functions to be formally authorised

1.5 Recommendations

- 1.5.1 It is recommended that the Council's Constitution be altered by transferring delegation number DPT 407 in Part 3 of the Council's Constitution from the Director of Planning, Transport and Leisure to the Director of Health and Housing and renumbering it as delegation number DHH 142 and that the Monitoring Officer be authorised to make the necessary amendments.

Background papers:

contact: Ian Henderson

Nil

Ian Henderson
Monitoring Officer