



OFFICER REPORT TO COUNCIL

AMENDMENTS TO THE CONSTITUTION

KEY ISSUE/DECISION:

It is the Council's responsibility to approve changes to the Council's Constitution. This includes the Scheme of Delegation regarding non-executive functions, while amendments to executive functions are the responsibility of the Leader and are brought to Council to note.

This report sets out proposed changes to the Constitution's executive and non-executive functions set out in the Scheme of Delegation and these are brought to Council for information and formal approval.

These changes are brought to Council in accordance with Articles 4.09, 5.02 and 11.02 of the Council's Constitution.

BACKGROUND:

1. The Leader is responsible for maintaining a list in Part 3 of the Constitution setting out who will exercise executive functions. Any changes to this list are required to be reported to the next appropriate meeting of the County Council. Such changes, which have already been agreed by the Leader, are set out in paragraphs 3 to 4 of this report.
2. In addition, changes to any non-executive functions require approval by the Council. These are set out in paragraph 5 but are the subject of a separate report on today's agenda.

FUNCTIONS FOR REPORT TO COUNCIL

Local and Joint Committee (LC/JC) Executive Functions

3. The Leader was asked to approve the transfer of the remaining executive functions from the LC/JCs delegated by the Leader with effect from 11 October 2022. This enabled the approval of changes to library opening hours to be delegated to the Cabinet Member for Communities and Community Safety, or to officers where appropriate; and for the clarification of executive Community Safety, Youth Provision and advisory LC/JC functions, bringing the Constitution into

line with current working practices following recent service, policy and commissioning changes.

4. The Leader agreed these changes on 27 September 2022, and the decision notice is attached as **Annex 1**. The Council is asked to note the Leader's approved changes to Part 3 of the Constitution.

FUNCTIONS FOR APPROVAL BY COUNCIL

Local and Joint Committee (LC/JC) Non-Executive Functions – Public Rights of Way (PROW)

5. Elsewhere on today's agenda, Council is asked to agree that the non-executive functions relating to Public Rights of Way (PROW) set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended currently delegated to the LC/JCs in Part 3, Section 1, Paragraph 7.4 of the Constitution, be transferred to the Planning & Regulatory Committee and officers. This will enable the Planning & Regulatory Committee and officers to take decisions relating to PROW if agreed by Council. The new delegations will be added to the Constitution and consequent amendments made.

RECOMMENDATIONS:

- A. That the executive function changes approved by the Leader on 27 September 2022 be noted.

Lead/Contact Officers:

Sarah Quinn
Senior Manager – Regulatory & Appeals
sarah.quinn@surreycc.gov.uk

Annexes:

Annex 1 – Leader Decision Notice, 27 September 2022

Sources/background papers:

Constitution of the Council
