



## OFFICER REPORT TO COUNCIL

### UPDATES TO THE CONSTITUTION

#### **KEY ISSUE/DECISION:**

Surrey County Council has a Constitution which is agreed by Members and sets out how the Council operates, how decisions are made and the procedures to be followed to ensure that they are efficient, transparent and accountable to the residents of Surrey.

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

The County Council is asked to note changes to executive functions within the Scheme of Delegation that have been approved by the Leader since the last Council meeting.

#### **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 Cabinet, are set out below.

#### **FUNCTIONS FOR REPORT TO COUNCIL**

##### **Delegation of responses to Government papers and consultations – Changes to the Scheme of Delegation approved by the Leader**

2. The Council's Constitution previously set out that the responsibility for providing formal responses to any Government White Paper or Green paper or other consultation likely to lead to policy changes or have significant impact upon services sat with the Cabinet and Cabinet Members (Scheme of Delegation, Section 2 Cabinet responsibilities and Functions, Table 2 – Responsibility for executive functions exercised by Cabinet Members, as listed by the Leader).
3. Due to the frequent need to respond to formal consultations in a timely manner, the Leader has agreed that it would be more efficient for the responsibility for signing off any responses on behalf of the Council to Government to sit with senior officers (namely the Chief Executive and Executive Directors) in consultation with the relevant Cabinet Member. As a result the Officer Scheme of Delegation has been updated to include an additional delegation to enable this to happen.

4. The following paragraph has been inserted into the Scheme of Delegation, Part 3, Section 3, Part 1 – Scheme of Delegation to Officers:

3.8 Formal responses to Government papers or other consultations

The Chief Executive and Executive Directors are authorised to approve formal responses to any Government White Paper or Green Paper or other consultation likely to lead to policy changes or have significant impact upon services in consultation with the relevant Cabinet Portfolio Holder.

**Investment Board – Changes to the Scheme of Delegation and Membership of the Board approved by the Leader**

5. The Membership of the Investment Board has been reviewed and the Leader has agreed to amend this to include the ability to appoint a County Councillor to sit on the Board in a non-voting role. As a result the Terms of Reference for the Investment Board have been amended and can be found at **Annex A**.

**RECOMMENDATIONS:**

It is recommended that the County Council note the changes to the Scheme of Delegation that have been approved by the Leader and authorises the Head of Legal Services to make the necessary amendments to the Council's Constitution.

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**Lead/Contact Officers:**

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**Sources/background papers:**

The Council's Constitution

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