

## EPSOM AND EWELL BOROUGH COUNCIL'S CONSTITUTION

**Head of Service:** Gillian McTaggart, Head of Corporate Assurance

**Wards affected:** (All Wards);

**Appendices (attached):**

### Summary

The purpose of this report is to seek the Council's approval of the Constitution.

### Recommendation (s)

#### The Council is asked to:

- (1) Approve the Constitution.

## 1 Reason for Recommendation

- 1.1 The Council's Rules of Procedure, FCR 2, set out in Part 4 of the Constitution, require approval of the Constitution, with or without changes at the annual meeting.

## 2 Background

- 2.1 The Constitution sets out how the Council operates, how decisions are made and the procedures that are followed to ensure business is conducted in an efficient, transparent, and accountable manner. Some of the content of the Constitution is required by law; the remainder is for the Council itself to determine.
- 2.2 The Monitoring Officer has a duty to keep the Constitution under review and has delegated authority to amend the Constitution where there has been a change in law, job title, and structure, rearrangement of job responsibilities or for general administrative convenience. All extensive changes to the Constitution, however, must be approved by Full Council.
- 2.3 The Council last amended the Constitution at its meeting on 19 April 2022, approving revisions to Parts 2 and 3. A review of the rest of the Constitution will be undertaken by the Standards and Constitution Committee over the next year, with recommendations to the Council for adoption at the appropriate time.

### 3 Risk Assessment

Legal or other duties

#### 3.1 Equality Impact Assessment

3.1.1 None.

#### 3.2 Crime & Disorder

3.2.1 None.

#### 3.3 Safeguarding

3.3.1 None.

#### 3.4 Dependencies

3.4.1 None.

#### 3.5 Other

3.5.1 None.

### 4 Financial Implications

4.1 None.

4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

### 5 Legal Implications

5.1 The Council's Rules of Procedure require approval of the Constitution, with or without changes at the annual meeting.

5.2 **Legal Officer's comments:** None arising from the contents of this report.

### 6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** Good Corporate Governance underpins delivering all the Council's Key Priorities.

6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations:** None.

6.4 **Sustainability Policy & Community Safety Implications:** None.

6.5 **Partnerships:** None.

Council  
16 May 2022

## 7 Background papers

7.1 The documents referred to in compiling this report are as follows:

### **Previous reports:**

- [Constitution Working Group Paper, Council, 19 April 2022](#)

### **Other papers:**

- [Constitution of Epsom and Ewell Borough Council](#)