



Committee and Date

Council

14 December 2017

10.00am

## **AMENDMENTS TO THE CONSTITUTION**

**Responsible Officer** Claire Porter

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### **1. Summary**

- 1.1 The Political Structures Monitoring Group has met to consider amendments to the constitution.
- 1.2 The Monitoring Officer has authority to make some of the minor amendments to the Constitution but others require approval by Council.
- 1.3 In addition, it was noted that the Articles of the Constitution had been updated to accurately reflect the current scrutiny arrangements.
- 1.4 Part 3 – Responsibility for Functions – The responsibility for functions was updated and it is proposed that the Political Structures Monitoring Group be replaced with the Constitution Working Party with a membership consisting of the Leader, Deputy Leader and other Group Leaders (or their deputy).
- 1.5 Part 4 – Council Procedure Rules – The Political Structures Monitoring Group considered that it would be appropriate to amend the scheme for public questions. It is proposed that the scheme be amended as follows:
  - a) Notice of the question should be received 24 hours' prior to the commencement of the relevant meeting.
  - b) The member of the public should ask the question at the meeting
  - c) The response should be provided verbally at the meeting
  - d) No supplementary question to be permitted.
- 1.6 At its meeting held on 24<sup>th</sup> November 2016, the Audit Committee agreed that its terms of reference should be amended to provide for the appointment of an independent member where elected members considered that such an appointment would be of benefit to the Committee.

## **2. Recommendations**

- 2.1 That Part 3 of the Constitution, Responsibility for Functions, be amended by the replacement of the Political Structures Monitoring Group with the Constitution Working Group with a membership consisting of the Leader, Deputy Leader and other Group Leaders (or their deputy).
- 2.2 That that the scheme for Public Questions set out in the Constitution be amended as follows:
  - a) Notice of the question should be received 24 hours' prior to the commencement of the relevant meeting.
  - b) The member of the public should ask the question at the meeting
  - c) The response should be provided verbally at the meeting
  - d) No supplementary question to be permitted.
- 2.3 That the terms of reference for the Audit Committee be amended by the inclusion of the following additional paragraph:

"3. The Committee has the option to recruit an independent member where there is an identifiable benefit."

## **REPORT**

### **3. Risk Assessment and Opportunities Appraisal**

The Council needs to keep its procedures under review in order to ensure that they provide a legal basis for decision making in a manner that best suits the Local Authority.

### **4. Financial Implications**

There are no financial implications to the Council as a result of this report.

### **5. Background**

- 5.1 A review of the Constitution has been commenced by the Political Structures Monitoring Group. At a meeting held on the 21<sup>st</sup> September 2017 a number of minor amendments were agreed which have been implemented by the Monitoring Officer. Additionally, it was agreed to make amendments to the Political Structures Monitoring Group and to the Councils scheme for public questions.
- 5.2 It is proposed that the Political Structures Monitoring Group be replaced with the Constitution Working Party with a membership consisting of the Leader, Deputy Leader and other Group Leaders (or their deputy).
- 5.3 It is proposed that the scheme for Public Questions be amended as follows:
  - e) Notice of the question should be received 24 hours' prior to the commencement of the relevant meeting.
  - f) The member of the public should ask the question at the meeting
  - g) The response should be provided verbally at the meeting
  - h) No supplementary question to be permitted.

5.5 At its meeting held on 24<sup>th</sup> November 2016, the Audit Committee agreed that its terms of reference should be amended to provide for the appointment of an independent member where elected members considered that such an appointment would be of benefit to the Committee. At its meeting held on 30<sup>th</sup> November 2017, it was agreed that the following paragraph be inserted into its terms of reference:

“The Committee has the option to recruit an independent member where there is an identifiable benefit.”

<b>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)</b> Constitution Audit Committee papers
<b>Cabinet Member (Portfolio Holder)</b> Councillor Nutting
<b>Local Member</b> All Members
<b>Appendices</b>