

Recommendation of the Members' Code of Conduct Committee

Cabinet – 27 April 2016

Review of the Constitution

1. At its meeting on 14 April 2016 the Members' Code of Conduct Committee considered a report on a review of the Council's Constitution.
2. The Committee noted that the Constitution had last been reviewed by the Council in 2012 and that a recent internal review had highlighted the need for various technical amendments to be made to ensure that it remained appropriate and relevant as the main tool by which the Council managed its business and was kept up to date with changing legislation.
3. The Committee looked in detail at the proposed changes being made to the Constitution and discussed them with the Deputy Monitoring Officer.
4. The Committee proposed some amendments to the Planning Code in respect of: clarifying 'planning reasons' by the addition of the word 'material'; and including a procedure at Committee for situations where a member of the Planning Committee has 'Called-in' an application.
5. The Committee also raised with officers a number of minor typographical errors and consistency issues which occurred throughout the Constitution.
6. **The Members' Code of Conduct Committee recommends Cabinet:**
 - (i) to agree changes to the delegations of all executive functions;**
 - (ii) to recommend the proposed changes to non-executive functions to Council;**
 - (iii) to recommend the revised Constitution to Council for approval, subject to:**
 - 1. amendments to the Planning Code (Part 5d):**
 - a. To include the word 'material' before every reference to 'planning reasons' and**
 - b. To include a new paragraph 20.(i) which reads – 'Where the councillor who 'Called-in' an application is a member of the Planning Committee, that councillor will be given 3 minutes to speak following the public speakers and may then speak again as a member of the Committee during its debate on the item.'; and**
 - 2. corrections to typographical and consistency errors throughout the document; and**
 - (iv) to recommend Council to agree to delegate to the Monitoring Officer, consequential changes to the Scheme of Delegations to Officers (part 3d) following the appointments of Group Heads.**