

Member's Code of Conduct Committee

18 March 2021



	Revisions to the Constitution required to change to a Committee System
Purpose of the report	To make a recommendation to Council
Report Author	Victoria Statham
Confidential	No
Recommendations	Committee is asked to: Recommend the amendments to the constitution to the Council for adoption with a move to a committee system of governance.
Reason for Recommendation	To ensure that the Council has a fit for purpose constitution which enables the committee system to take effect and operate.

1. Key issues

- 1.1 On 30 July 2020 this Council resolved: “to implement a change in decision-making governance arrangements, comprising the cessation of the current Leader and Cabinet model of governance and the implementation of a Full Committee model of governance. This is to be developed during 2020 with a view to the arrangements taking effect at the earliest opportunity, but no later than the commencement of the next Council Municipal Year in May 2021, subject to a legally and constitutionally robust process. The changes are to be debated and agreed by the Council.”
- 1.2 Since that paving motion in July 2020 there has been a considerable amount of work undertaken by Committee System Working Group and officers on the structure of the committees and processes. These decisions have enabled the constitution to be updated (as necessary) to enable the system to operate.
- 1.3 The amendments to the constitution could not be made until key decisions had been made by the Committee System Working Group. The turnaround time for the amendments to the constitution has been short and therefore the focus has been on those parts that need to be amended to operate the committee system. The policies and protocols which can operate as is, have not been amended yet and will come forward for revision in due course.
- 1.4 Attached at appendix A is the summary of the changes to the constitution. Also appended to this report are the updated version of the relevant sections and parts of the constitution. Please note that the numbering and formatting will be updated on final production.

- 1.5 The statutory requirements for the change of governance arrangements are set out in the Localism Act 2011. To change from a cabinet system to a committee system, a local authority must:
- (a) Pass a resolution to change the governance arrangements;
 - (b) As soon as practicable after passing the resolution, make the provisions of the new arrangements available for inspection by the public;
 - (c) Publish in one or more newspapers circulating in the area a notice which describes the features of the new system and timescales for implementation; and
 - (d) Once the resolution to change the governance arrangements has been passed and the publicity requirements complied with the authority is required to cease operating their old form of governance arrangements and start operating their new arrangements. This must take place at the first annual meeting or later annual meeting as specified in that resolution. Transitional arrangements may be required to bridge any gap between the previous arrangements ending and the new structure beginning.
- 2. Options analysis and proposal**
- 2.1 The option is to recommend the amendments as drafted to the Council for adoption to enable the committee system to operate or to recommend any amendments to that which is proposed.
- 2.2 The amendments have been provided to the Committee System Working Party prior to this meeting and there has been a meeting of that group since to discuss.
- 3. Financial implications**
- 3.1 The financial implications for the change have already been reported to the Council.
- 4. Timetable for implementation**
- 4.1 The amendments to the constitution will be presented to the Council on the 25 March 2021 for adoption as part of the resolution to move to the committee system.
- 4.2 If the resolution is passed to move to the committee system this has to be adopted at the Annual Council Meeting and will come into effect thereafter.

Background papers: There are none.

Appendices:

Appendix A – Summary of changes to the constitution
Updated constitution sections