

Summary of proposed changes to the Constitution

17 March 2021

Part 1 - Introduction

- 1.1 Constitution summary and explanation – revisions to remove reference to Cabinet and Overview and Scrutiny Committee, ensure that the section reads easily and that the explanation of the Committee style of governance is as simple as it can be.

Part 2 - Articles of the Constitution

- 1.2 Article 1 – The Constitution - removal of a purpose of the Constitution, to 'ensure no-one will review or scrutinise a decision in which they were directly involved' as the Committees will undertake their own scrutiny.
- 1.3 Article 2 – The Council and its members - no change.
- 1.4 Article 3 – The Public - removal of references to Cabinet, Leader and Overview and Scrutiny
- 1.5 Article 4 – The Council - removal of references to Cabinet and executive functions.
- 1.6 Article 5 – The Mayor - removal of references to Cabinet.
- 1.7 Article 6 – The Leader - re-written role of the Leader under the Committee system.
- 1.8 Article 7 – Service and Regulatory Committees - updated to include the Service and other committees under the new arrangements.
- 1.9 Article 8 – Standards Committee - amended to reflect change of name to Standards Committee. Added the function of managing a programme of member development
- 1.10 Article 9 – Joint Arrangements - removal of references to Cabinet and Leader.
- 1.11 Article 10 – Officers - removal of references to Cabinet and Leader.
- 1.12 Article 11 – Decision making - Inclusion of objectives for establishing Committee system. Updated level at which a matter is defined as a Key Decision to £250k from £164k. This has not been increased for some years and previously reflected old EU procurement levels. It would be in the discretion of the Council to raise it higher if considered appropriate. Removed references to executive arrangements and Cabinet.
- 1.13 Article 12 – Finance, Contracts and Legal matters - amendment to officer title and removal of reference to Cabinet functions.
- 1.14 Article 13 – Review and Revision - amended references from Members Code of Conduct Committee to Standards Committee. Removal of reference to Standards.
- 1.15 Article 14 – Suspension and Interpretation - change to officer title.

Part 3 - Responsibility for Functions

- 1.16 (a) Scheme of Delegation general introduction – removal of reference to functions delegated to the Leader, which are now delegated to Committees. Changes to improve the clarity of information on how and to whom delegations are made under the Committee system. Included additional requirements on officers when exercising delegated powers. Redefined urgent decisions by Chief executive to be taken in consultation with both Chair and Vice-Chair of a Committee. Removal of references to Cabinet.
- (b) Terms of reference of Committees – these have been entirely re-written to address the new Committee structure.
- 1.17 (c) Delegated functions in consultation with Cabinet Members or the Leader – have been amended to be in consultation with the relevant Committee Chair and Vice-Chair.
- 1.18 (f) Roles of different councillors - updated to reflect new role of Leader, Deputy Leader, Committee Chairs and Vice-Chairs. Many of the removed executive duties of portfolio holders have been included as standard terms of reference for all Committees in Part 3b, at the request of the Working Group.

Part 4 - Procedural Rules

- 1.19 (a) Council Standing Orders – these have been extensively re-written
 - i) replacement throughout of references to Cabinet and Leader with Chair and Vice-Chairs
 - ii) Change to procedures at Annual and ordinary Council meetings
 - iii) Inclusion of procedures for Committees
 - iv) Change to requirement for notifying questions from public and councillors from 5 days to 7 days before the meeting. This will enable all questions to appear on the agenda, even if it is necessary to clarify the question with the questioner and avoid the need for a supplement.
 - v) Inclusion of a number limit on questions
 - vi) Ward issues to now be dealt with at Committee meetings
 - vii) Clarification on number of speakers allowed for motions without Notice
 - viii) Some further clarity on the rules around amendments, right of reply and closure motions
 - ix) Clarity on voting at regulatory Committees
 - x) Inclusion of reference to audio/visual recording of meetings
- 1.20 (b) Reservation Scheme – this is a new procedure in the Constitution which allows Committees to refer determination of matters to Council.
- 1.21 (c) Substitution Scheme – this is a new procedure in the Constitution which sets out how substitutions may be made for Committee meetings