

## **Amendments to the Constitution – 2024/2025 Municipal Year**

### **Council – 12 December 2024**

#### **Part 3b – Terms of Reference**

Addition of new terms of reference for Corporate Policy and Resources Committee:

To act as the Member Responsible for Complaints in accordance with the Complaint Handling Codes of the LGSCO and the Housing Ombudsman.

#### **Part 3d – Scheme of Officer Delegation**

New delegations relating to Special Severance Payments.

#### **Part 4e – Contract Standing Orders**

Amendment to Contract Standing Orders Procedure Rules to reflect changes brought about by the Procurement Act 2023.

### **Under Delegation to Monitoring Officer, Article 13**

#### **Part 3c – Delegations to Officers in consultation with Chair/Vice-Chair**

Addition by cross-reference of those delegations included in Part 3d – Scheme of Officer delegation which are in consultation with the Chair/Vice-Chair of Committee.

### **Council – 24 October 2024**

#### **Part 3b – Terms of Reference**

Addition of new terms of reference for Corporate Policy and Resources Committee:

To appoint a shareholder representative for any company set up by Spelthorne Borough Council.

To approve dilapidation settlements that exceed £500k.

Addition of new term of reference for Commercial Assets Sub-Committee to approve dilapidation settlements valued between £101k and £500k and make recommendations to Corporate Policy and Resources Committee for any that exceed £500k.

Amendment to terms of reference for Licensing Committee to *make changes to existing policies and adopt new policies* where they do not require a Council decision under the Policy Framework at Article 4.

#### **Part 3d - Delegations to Officers**

**Addition of:**

### **Delegation 1.13**

Delegation to the Group Head Place, Protection and Prosperity to authorise grant funding for the Spelthorne Business Forum on an annual basis, to ensure value for money.

### **Delegation 4.1i**

Delegation to the Group Head for Assets in consultation with the Chair of Commercial Assets Sub-Committee, to agree dilapidation settlements up to £100k.

### **Delegation 7.17**

Delegation to the Group Head of Neighbourhood Services in relation to Fixed Penalty Notices for failure to comply with a duty of care in the disposal of controlled waste.

### **Delegation 12.11**

Delegation to Group Head Place, Protection and Prosperity in consultation with the Chair of the Licensing Committee to make minor amendments to the Pavement Policy.

## **Part 4(a) – Council Standing Orders**

Amendments to Standing Orders in relation to public questions:

13.6 to require the Chief Executive and/or Monitoring Officer to consult with the Mayor before rejecting a question for Council.

16.11 to amend the limit for Motions from 100 to 200 words in length.

40.1 to 40.5 to amend the process for public questions at Committee such that they may be permitted on any matter within the Committee's remit. The Notice period amended to align with Standing Order 13.3 for questions at Council, limit for questions amended from 2 to 3 and to 150 words. Reasons for rejection of a question extended to reflect Standing Order 13.6 and that decision to be made in consultation with Chair of Committee.

## **Part 4(a) Rules of Debate flowchart**

Changes to wording and shading of process that relates to amendments, to clarify the process during the debate of a Motion.

## **Under Delegation to Monitoring Officer, Article 13**

### **Part 3d – Delegations to Officers**

Amendment in all instances where delegation was to Senior Environmental Health Manager, to now be delegated to the Group Head Place, Protection and Prosperity, who manages the Environmental Health Team.

Amendment in two instances from Deputy Chief Executive responsible for Environmental Health and Building Control to Group Head Place, Protection and Prosperity.

## **Under Delegation to Monitoring Officer – July 2024**

In all relevant Parts below, changed Internal Audit Manager references to Chief Internal Auditor provided by Southern Internal Audit Partnership and Audit Services references to Internal Audit.

**Parts amended as above:**

**4d – Financial Regulations**

**5e – Confidential Reporting Code**

**5f – Counter Fraud, Bribery and Corruption Strategy**

**5g – Appendix to Local Code of Corporate Governance**

**5i – Money Laundering Policy**

## **Council – 25 April 2024 (effective from 23 May 2024)**

### **Part 3b – Terms of Reference**

Re-structure of committees and terms of reference to remove Administrative Committee, Economic Development Committee, and Neighbourhood Services and Enforcement Committee and Development Sub-Committee and the addition of Business, Infrastructure and Growth Committee and Commercial Assets Sub-Committee.

Amendment to Investigating and Disciplinary Committee in relation to the power to suspend any relevant officer in an emergency, and the need for the Committee to be politically proportionate.

### **Part 3c – Delegated Responsibilities in Consultation with the Chairs and Vice-Chairs of Committees**

#### **Addition of PH13:**

If an exceptional situation arises whereby allegations of misconduct by the Statutory Officer are such that their remaining presence at work poses a serious risk to the health and safety of others or the resources, information or reputation of the authority, the following may suspend the Statutory Officer immediately, in an emergency:

In relation to serious allegations of misconduct against the Chief Executive, the Monitoring Officer and Chief Finance Officer jointly in consultation with the Chair of the IDC or

In relation to serious allegations of misconduct against the Monitoring Officer or Chief Finance Officer, the Chief Executive in consultation with the Chair of the IDC.

### **Part 3d - Delegations to Officers**

#### **Addition of:**

#### **Section 4.2a. and b.**

Delegation to the Group Head for Assets in consultation with the Chief Finance Officer, in relation to new lettings and lease renewals.

### **Section 4.3**

Delegation to the Group Head for Assets, in relation to new urgent lettings

## **Consequential amendments arising from above changes - under Delegation to Monitoring Officer – 23 May 2024**

### **Part 2 – Article 7 Strategic, Regulatory and other Committees**

Amendments to reflect the new structure of Committees established by the Council.

### **Part 3b – Terms of Reference for Licensing Committee**

Amendment to reflect revised general terms of reference for all committees

6. To adopt, monitor and review relevant Council policies and strategies, where they do not require a Council decision under the Policy Framework at Article 4 of this Constitution.

### **Part 3b – Terms of reference for Corporate Policy and Resources Committee**

Addition to reflect deletion of Administration Committee from Council's establishment:

This Committee has responsibility for scrutinising matters referred to it by the Strategic Committees or councillors in accordance with the Council's Call-in Procedure Rules (Part 4b of this Constitution).

### **Part 4b - Call-in Scrutiny Procedure Rules**

Amendment to reflect deletion of Administration Committee from Council's establishment.

Call-ins will be referred to Corporate Policy and Resources Committee for review, except in the case of a decision by that Committee. Such call-ins will be referred to Council subject to the other provisions within the Call-in procedure.

## **Under Delegation to Monitoring Officer, Article 13**

### **Part 3b – Terms of reference for Surrey Police and Crime Commissioners Panel**

Addition to reflect the PCC Panel's terms of reference as set out in the Police Reform and Social Responsibility Act 2011:

To require the PCC and members of their staff to attend the Police and Crime Panel to answer questions