

Explanation of proposed Constitution Changes 2024

Section	Current Text	Proposed	Reason for change
Part 3b – Terms of Reference			
Corporate Policy and Resources Committee	Not applicable – new wording	Addition of new term of reference: To appoint a shareholder representative for any company set up by Spelthorne Borough Council, from that committee within whose remit the business of the company falls.	To delegate appointments of shareholders to existing SBC companies and any that may be set up in the future.
Commercial Assets Sub-Committee	Not applicable – new wording	Addition of new term of reference: To approve dilapidation settlements valued between £101k and £500k and make recommendations to Corporate Policy and Resources Committee for any that exceed £500k.	To delegate those dilapidation settlements that exceed the delegation to officers.
Corporate Policy and Resources Committee	Not applicable – new wording	Addition of new term of reference: To approve dilapidation settlements that exceed £500k.	To delegate those dilapidation settlements that exceed the delegation to Commercial Assets Sub-Committee
Licensing Committee	To monitor and review relevant Council policies and strategies and recommend changes or new policies to the Corporate Policy and Resources Committee, where they do not require a Council decision under the Policy Framework at Article 4 of this Constitution.	To monitor and review relevant Council policies. <i>To make changes to existing policies and adopt new policies</i> where they do not require a Council decision under the Policy Framework at Article 4 of this Constitution.	To delegate functions to the appropriate Committee and to align with General terms of reference for Strategic Committees which can adopt policies relevant to their remit.

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Section	Current Text	Proposed	Reason for change
Part 3d – Delegations to Officers			
1.13	New delegation to Group Head Place, Protection and Prosperity.	To authorise grant funding for the Spelthorne Business Forum on an annual basis, to ensure value for money.	To ensure VfM, Spelthorne Business Forum are now required to apply for grant funding on an annual basis.
4.1	4.1i – new delegation Group Head of Assets, in consultation with the Chair of Commercial Assets Sub-Committee	To agree dilapidation settlements up to £100k.	To facilitate fast turnaround of decisions once a dilapidation settlement is agreed. Without an appropriate level of delegation in place, the Council would need to take urgent action.
7.17	New delegation to Group Head of Neighbourhood Services	To authorise appropriate officers to issue Fixed Penalty Notices under section 34(2)(a) of the Environmental Protection Act 1990 to persons whom the officer has reason to believe has failed to comply with their duty of care in the disposal of controlled waste.	Approved by Neighbourhood Services and Enforcement Committee at its meeting on 9 September 2021.
12.11	New 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.	Approved by Licensing Committee at its meeting on 23 July 2024.

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Section	Current Text	Proposed	Reason for change
Part 4a – Standing Orders (SO)			
SO 13.6 Scope of Public Questions	The Chief Executive may reject a question if	The Chief Executive <i>and/or Monitoring Officer in consultation with the Mayor</i> may reject a question if	To include a councillor in the decision to reject Public questions.
SO 16.11 Length of Motion	No Motion shall exceed 100 words in length.	No Motion shall exceed 200 words in length.	Recommendation of Committee System Working Group to facilitate clear and understandable Motions to Council.
SO 40.1 to 40.5 Public questions at Committee /Sub-Committee	<p>Questions have to relate to a matter on the agenda.</p> <p>Notice to be given 5 working days before a meeting.</p> <p>Questions limited to two per agenda item.</p> <p>No limit to length of question.</p> <p>Limited reasons for rejection. Rejection decision by Chief Executive.</p>	<p>Questions permitted on any matter within a committee’s remit.</p> <p>Notice to be given by 12 noon 8 working days before a meeting.</p> <p>Questions limited to 3 per meeting.</p> <p>Questions limited to 150 words.</p> <p>Reasons for rejection expanded to reflect those for public questions put to Council (SO 13.6 above) and decision to be made in consultation with Chair of Committee.</p> <p>(Detailed wording on amended document)</p>	<p>To improve opportunities for public engagement.</p> <p>This aligns with SO 13.3</p> <p>To ensure the main business on the agenda of the Committee can be dealt with at the meeting.</p> <p>To ensure only appropriate matters are accepted for Committee consideration.</p>

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Section	Current Text	Proposed	Reason for change
Part 4a Rules of Debate	Text in flowchart	Changes to text to clarify the Amendment procedure during the debate of a Motion	To clarify the process for councillors during a debate at Council.