

SCHEDULE OF PROPOSED CHANGES TO THE CONSTITUTION

Page number in current Constitution	Reference (para or section number)	Proposed change	Reason
Throughout		Updated titles: Remove deputy chief executives and chief officers, add directors	Corporate restructure
Throughout		References to viewing paper copies (eg of agendas, constitution) updated to reflect availability of electronic information	Availability of electronic information
Various		Remove requirement for a separate panel to consider employment matters relating to statutory officers – this is recommended to form part of the terms of reference for the Ethical Governance & Personnel Committee	Previous overlap and duplication between the roles of the Ethical Governance & Personnel Committee and the Statutory Officer Employment Panel
Various		In relation to employment matters, confirm that all decisions in relation to appointment of the Chief Executive, statutory officers and directors are reserved for Council	Clarification and confirmation due to ambiguity in previous version
5	1.14	Remove reference to the Executive consisting of eight councillors	Localism Act provided power for the Leader to choose Executive including number of members between 2 and 9 in addition to the Leader
18	7.6	Currently states each member of the Executive will be nominated as a substitute for another Executive member in their absence. Amend to the Leader taking a decision in the absence of the relevant Executive member, and the Deputy Leader in the Leader's absence	Ensure continuity of business
38	3	New planning policy documents will be presented to the Planning Policy Working Group then Council (previously stated Senior Members Group and Executive)	Senior Members group no longer meets. Planning is not an Executive function so Executive ratification is not advisable
39	14	Polling place changes at short notice – amend from group leaders in consultation with relevant ward member to Chief Executive in consultation with group leaders and relevant ward councillor(s)	Elections is a Council function so the Leader should not be involved in making the decision and other non-Executive group leaders have no decision making power
58	6	Amend designation of new conservation areas to responsibility of Council (instead of Executive)	Planning is a Council function
59	10.7	Remove reference to on-street parking	On-street parking is not a borough council function

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101	4.3	Deadline for notifying of substitutes changed from “4.00pm on the day of the meeting (or at least 2 hours before the meeting if the meeting is earlier than 6.00pm)” to 4.30pm (or at least 2 hours before the meeting)”	For consistency
104	11	Remove requirement for questions to be recorded in a book	Use electronic means to make more easily accessible to the public
106	13	Remove requirement for motions to be recorded in a book	Use electronic means to make more easily accessible to the public
107	13.3	Deadline for amendments to printed motions changed from 5pm to 4.30pm	For consistency with other requirements on the day of the meeting
111	17.2	Requirement for a notice of motion or amendment to be “signed by at least eight members” to enable consideration of a motion similar to one previously rejected. Amend to “signed by at least a quarter of the full number of members of the committee, or three members (whichever is greater)”.	To be consistent with the paragraph above which requires a motion to be signed by at least a quarter of members of the committee or three member (whichever is greater) in order to rescind a previous decision
115	27.5	Remove restriction on opening time for requests to speak at planning committee (previously the public couldn’t register to speak until 9am on the day the agenda became public – ie a week before the meeting)	Overly bureaucratic and difficult to manage
132	8.4	Amend consideration of an overview and scrutiny report by the Executive or Council from “within one month of receiving it” to “at the next available meeting”	To reflect the current timetable of meetings
132	10.3	Amend consideration of a report relating to the budget or policy framework from overview & scrutiny by the Executive or Council from within eight weeks” to “at the next available meeting”	For consistency with the above
134	13.3	Amend requirement for person invited to scrutiny to attend within 42 days, to eight weeks	For consistency with other provisions
135	16.8	Delete paragraph which refers to area forums	The council does not currently have area forums
165 to 171		Amend reference to ‘Deputy Chief Executive (Corporate Direction)’ to ‘Head of Finance’	To reflect current section 151 officer
190		National code of practice on publicity replaced with up to date version	Current version
195		Protocol relating to gifts & hospitality – references to the code of conduct amended	References are to a previous version of the code

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202	6, 7 & 8	Moved these paragraphs from the “Code of Conduct and guidance for members of the Planning Committee” section to the “Planning procedure rules” section	More appropriate location for information
202	7	Amend provision for planning committee to annually review decisions taken by the committee, to Scrutiny Commission undertaking the review	To reflect current practice
205	12	Remove paragraph which refers to suspension of a councillor	Suspension no longer an option for the authority
213		Politically restricted posts updated	As a result of restructure
New		In the summary & explanation include provision for decision making in the event of the Leader no longer being a councillor following a borough election (until Annual Council) – decisions to be taken by the Chief Executive in consultation with group leaders	To ensure business continuity
New		Chief Executive in consultation with group leaders may authorise changes to committee membership in-year with a report to the next available meeting of Council	To avoid delay in any required changes to committee membership
New		Monitoring Officer may make changes to the constitution based on matters of fact (for example due to changes in legislation over which we have no discretion)	Expediency in making necessary changes where a report to Council would result in the same change due to the matter not being discretionary
New		Provision for overview and scrutiny bodies to hold joint meetings (for example the Scrutiny Commission and Finance & Performance Scrutiny holding a joint budget meeting)	This is current practice but suggested for inclusion in the constitution for completeness
New		Overview & scrutiny procedure rules: include provision that the chairmen of both overview & scrutiny bodies shall not be from the majority group	This is current practice but suggested for inclusion in the constitution for completeness
New		Inclusion of terms of reference of working groups	For completeness