

**SCHEDULE OF PROPOSED CHANGES TO THE CONSTITUTION**

| <b>Page number in current Constitution</b> | <b>Reference (para or section number)</b> | <b>Proposed change</b>  | <b>Reason</b>   |
|--|---|---|---|
| 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   |
| New  |   | Delegation of decision on the annual governance statement and statement of accounts to Audit Committee   | Recommendation of audit and best practice  |