

Constitution Review

Relevant Portfolio Holder	Cllr Bill Hartnett
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non key

1. SUMMARY OF PROPOSALS

- 1.1 The Council reviews its constitution annually. This report outlines updates to the Council's constitution for the Council's consideration.

2. RECOMMENDATIONS

The Council is requested to RESOLVE

- 1. That the Council's constitution as presented be approved with the following changes;**
- 2. that the Petitions scheme be removed from the constitution, the ability to present petitions at Council and Executive Committee meetings being retained and a petitions protocol be agreed as attached at appendix 1 to the report;**
- 3. that the Council procedure rules be amended as highlighted in appendix 2 to remove references to two-thirds majority votes.**

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications arising from this report.

Legal Implications

- 3.2 The content of parts of the Council's constitution are set out in law. Whilst it is a "living" document and may be updated by the Council at any time during the year, the opportunity is taken each year to review its contents.
- 3.3 The Monitoring Officer has delegated authority to make minor changes to the form – not substance – of the constitution so that it reflects current arrangements. An example is in the Articles where reference to Audit and

Governance Committee has been replaced by Audit, Governance and Standards Committee.

Service / Operational Implications

- 3.4 There are no direct service or operational implications arising from this report.
- 3.5 The Constitution Working Group has held one meeting since the last review and agreed the following changes for recommendation to the Council:
- (a) within the Council Procedure Rules, to remove reference to requiring a two-thirds majority vote for certain decisions. The law requires a simple majority.
 - (b) The Council's Petition Scheme was introduced as a result of requirements in the Local Democracy, Economic Development and Construction Act 2009. This introduced a rather clunky system for dealing with petitions and the requirement to operate the scheme has subsequently been repealed. It is proposed that the Council's petitions scheme is removed from the constitution. The ability for members of the public to present petitions either direct to Council or Executive Committee at a meeting or via officers – will remain. It is suggested that a simpler protocol for dealing with petitions is adopted in its place and this is enclosed at appendix 1 to this report.

Customer / Equalities and Diversity Implications

- 3.6 There are no specific implications arising from this report.

4. RISK MANAGEMENT

There are no specific high level risks arising from this report.

5. APPENDICES

The constitution is available on the Council's website with the agenda for this meeting of the Council. Paper copies have also been placed in Group rooms and are available for inspection from Democratic Services.

6. BACKGROUND PAPERS

None.

AUTHOR OF REPORT

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