

Appendix 1

Summary of Revisions

Part 1 – Summary & Explanation

The introduction has been updated and modernised to provide a more user-friendly overview of the Council and how it works. There are no substantial changes in law or practice. Section 9, Rights of Members of the Public has been redrafted to make it more user friendly without any significant change to the content.

Part 2 – Responsibility for Functions

This section now includes an introduction which explains in general legal terms responsibility of functions. The Responsibility for Functions section has been updated and expanded upon. Parts have been changed to represent a more modern, simplified style of drafting.

Section A: The Council’s Management Structure, Diagram of Decision-Making Bodies, and Introduction to Decision Making.

This section has not been subject to any material legal change. The changes proposed reflect our current Executive Leadership Team and its membership.

Section B: The Council

This section has not been subject to any material change.

Section C: Local Choice Functions

This section has not been subject to any material change.

Section D: The Cabinet (Executive Functions)

This section has not been subject to any material change.

Section E: Non Executive Committees

This section has not been subject to any material change.

Section F: Joint Arrangements

This section has not been subject to any material change.

Section G: Officer Scheme of Delegation

Part 3 – Rule of Procedure

Section A: Council and Committee Standing Orders

The Council Standing Orders have been re-ordered. They have been put in a more logical order. There is a separate section for public participation.

Minutes from Committees can be agreed at the Committee itself, they do not need to go to Full Council. This removes an element of procedure.

Officer reports shall be deemed to be moved and seconded. The reports shall be introduced by the Cabinet Lead or Committee Chair. This removes an element of procedure.

Questions

Cabinet/Leader Report

- 15 minutes for questions
- 3 minutes for each question
- Supplementary questions allowed
- Questions taken serially

Questions in advance

- 15 minutes for questions
- 3 minutes for each question
- Word count on questions submitted in advance
- First question and answer taken as read (ensures adequate time for supplementary)
- Questions taken serially

Notice of Motion

Time bought forward to 12.00 noon seven clear working days before the meeting. This is to assist the Democratic Services Team.

Total length 400 words – 150 motion. 250 words in support

Reference included to a template (not mandatory)

3 x Notice of Motion per meeting (to ensure efficiency of meeting)

2 x Notice of Motion per Councillor per meeting (to ensure a fair and equitable distribution)

In the event that the motion may increase expenditure or have policy or legal implications it shall be referred to Cabinet first.

Cabinet or Mayor may ask for briefing note to be circulated before the meeting.

Rules of Debate

Clarity has been provided in respect of Point of Order, Personal Explanation and Right of Reply.

Voting

Can participate in debate and vote if have been present for the majority of the agenda item.

Amendments

Same procedure – flowchart included

Section B: Access to Information Standing Orders

There has been no material change to this section. Principles have been inserted into the Standing Orders.

Section C: Budget and Policy Framework Standing Orders

The Budget and Policy Framework document has been reviewed in consultation with the S151 Officer and minor amendments proposed.

Section D: Cabinet (Executive) Standing Orders

There has been no material change to this section.

Section E: Overview & Scrutiny Standing Orders

It is proposed that the Overview & Scrutiny Standing Orders should not form part of this review but should be considered by the Overview & Scrutiny Committee itself and form a separate recommendation to Full Council. This section has not been appended to this report but shall continue to form part of the constitution.

Section F: Officer Employment Standing Orders

There has been no material changes to this section. The text has been simplified and historical information removed.

Section G: Financial Procedure Rules

The Financial Procedure Rules have been reviewed in consultation with the S151 Officer and minor amendments proposed.

Section H: Contract Standing Orders

There has been no material change to this section. It has been subject to minor drafting updates and shall be reconsidered following the adoption of the Procurement Bill.

Part 4 – Codes and Protocols

Section A: Code of Conduct for Officers

There has been no material change to this section. Further clarity has been provided to officers in respect of receipt of gifts and hospitality.

Section B: Code of Conduct for Councillors and Arrangements for dealing with alleged breaches of the Code

This section has not been appended to this report but shall continue to form part of the constitution. An update on the Code of Conduct and Arrangements is being considered in a separate report this evening.

Section C: Councillor/Officer Protocol

There has been no material changes to this section. It has been updated in a more modern style and duplication with information contained in Access to Information

Rules at Part 3 has been removed. Clarity has been included in respect of breach of protocol procedure.

Section D: Councillors' Planning Code of Conduct

There has been no material changes to this section.

New - Monitoring Officer Protocol

The Monitoring Officer is a statutory appointment pursuant to section 5 of the Local Government and Housing Act 1989. This Protocol provides some general information on how those statutory requirements will be discharged. It is commonplace and best practice to include a Monitoring Officer Protocol within the Constitution.

New - Code of Corporate Governance

The Council has adopted a Code of Corporate Governance. It is recommended by CIPFA that it forms part of the Council's Constitution.

Part 5 – Councillors Allowance Scheme

The Council agrees a Members' Allowances Scheme following consideration of the Remuneration Panel's recommendations. This process is unaffected by the Constitution Review This has not been considered as part of this review. The Councillors Allowance Scheme is due to be considered by the remuneration panel next year. This section has not been appended to this report but shall continue to form part of the constitution

Part 6 – Glossary of Terms

This has not been changed in any material way. For the avoidance of doubt the definition of clear working day has been included within the glossary.