

Council/ Meeting	
Meeting Date	16 March 2016
Report Title	Constitution review
Cabinet Member	Cllr Andrew Bowles, Leader.
SMT Lead	Mark Radford, Director of Corporate Services and Monitoring Officer
Head of Service	
Lead Officer	Katherine Bescoby, Democratic and Electoral Services Manager
Key Decision	No
Classification	Open
Forward Plan	Reference number:
Recommendations	<p>1. Council Procedure Rules in relation to amendment to the budget be clarified by the addition of the following wording:</p> <p style="text-align: center;"><i>In proposing any changes to the budget any amendment must ensure that the proposal achieves a balanced budget</i></p> <p>2. The revised scheme of officer delegations as set out in the working papers to the report be adopted.</p> <p>3. The Planning Committee Procedure Note as out in the working papers be adopted as part of the Constitution.</p> <p>4. Council Procedure Rules Para 19 (2) be amended as follows:</p> <p style="text-align: center;"><i>(2) If five councillors present at a Council meeting, three councillors present at a Committee/Panel or two Councillors present at a Sub- Committee meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes</i></p>

1 Purpose of Report and Executive Summary

- 1.1 This report sets out the recommendations from General Purposes Committee (GPC) held on 2 March 2016 for consideration and adoption by Council.

The report sets out the details of:

- A minor amendment to clarify the Council Procedure Rules in relation to motions submitted as amendment to the budget to ensure that business is conducted effectively and efficiently.
- Suggested changes to the Officer Scheme of Delegation.
- Suggested Planning Committee Procedure Note.
- Suggested changes to the voting procedures contained within 4.1 Council procedure Notes

(Whilst a review of all the procedure rules has been undertaken, it should be noted that regulations and the statutory Modular Constitution guidance means that the review has concentrated on those areas where the Council has discretion.)

Elsewhere on the agenda there are separate reports relating to:

- the review of the Local Engagement Forums and the Rural Forum and
- the motion that was referred from Council on 27 January to amend note (i) of Part 3.2.1 of the Constitution in relation to the Head of Planning's delegation to defer matters where the Committee is minded to make a decision that would be contrary to officer recommendation and contrary to policy and/or guidance

2. Background

- 2.1 Attached to this report are the papers presented to General Purposes Committee. The working paper in relation to planning committee procedure note has been revised to reflect GPC's discussion on declaration of interests.

3. Proposals

- 3.1 Council is asked to agree to the recommendations submitted by GPC as follows that:

1. Council Procedure Rules in relation to amendment to the budget be clarified by the addition of the following wording:

In proposing any changes to the budget any amendment must ensure that the proposal achieves a balanced budget

2. The revised scheme of officer delegations as set out in the working papers to the report be adopted.
3. The Planning Committee Procedure Note as out in the working papers be adopted as part of the Constitution.

4. Council Procedure Rules Para 19 (2) be amended as follows:

(2) If five councillors present at a Council meeting, three councillors present at a Committee/Panel or two Councillors present at a Sub- Committee meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

4 Alternative Options

- 4.1 There is discretion on the proposals set out in the Working Papers; matters where there is no discretion in relation to law and statutory guidance do not form part of this report.
- 4.2 GPC have considered the working papers and made the recommendations set out in para 2.

5 Consultation Undertaken or Proposed

- 5.1 The review of the Constitution is the role of GPC. All members do receive all council agendas and reports and can attend the Committee. All recommendations from GPC have to be agreed by Council

6 Implications

Issue	Implications
Corporate Plan	Having an up to date Constitution is important for good governance and decision making and is part of the Council to be proud of objective.
Financial, Resource and Property	None at this stage, it is anticipated that the work arising out of the review will be contained within existing resources.
Legal and Statutory	Where there is a change as a result of legislation or regulation, or suggested on the basis of legal advice this is set out in the working papers.
Crime and Disorder	None identified at this stage.
Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and	None identified at this stage.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:

Appendix I: report to General Purposes Committee held on 2 March 2016 together with supporting working papers.

8 Background Papers

None