



Report to:	Council	20 May 2021
Lead Officer:	Monitoring Officer	

Constitution

Executive Summary

1. Full Council at its meeting on the 21 May 2020 adopted a new Constitution, Ethical Handbook, Public Speaking Scheme and Petitions Scheme with effect from the new Municipal Year.
2. The Constitution was subject to a comprehensive review and updating by the Constitution Review Task and Finish Group and was recommended for adoption to Council in May 2020 by the Civic Affairs Committee.
3. Article 15.1 of the Constitution requires the Chief Executive and the Monitoring Officer to monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect and the purpose of this report is to propose non substantive changes to the Constitution as detailed in Appendix A with the reasons provided.

Recommendations

4. It is recommended that Council adopts the changes to the constitution outlined at Appendix A and authorises the Chief executive to make the necessary changes.

Reasons for Recommendations

5. The proposed changes will provide clarity to the Constitution.

Details

6. The Chief Executive and the Monitoring Officer are required to monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.
7. At the meeting of full council in April 2021 the Leader agreed to look at making a change to the constitution so that group leaders are involved in decisions to cancel meetings.
8. Four of the seven other proposed changes are intended to provide clarity, one confirms that motions should not apply to committees and finally there is a proposed change to when member questions can be submitted from the start of the agenda item to the start of the meeting to make it easier for officers to manage the meeting and include any late questions in the random draw.

Options

9. The Council could:
 - (a) adopt the changes to the revised Constitution with or without amendment;
or
 - (b) Refer any proposed changes to the Constitution to the Civic Affairs Committee for further review if they thought the amendments entailed substantive changes.
 - (c) Decide that the changes are not necessary.

Implications

10. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

Legal

11. The Council is required to prepare and keep its Constitution up to date and to make it available to the public, in accordance with Section 37 of the Local Government Act 2000. Additionally, it is required by Section 38 of the Act to have regard to any guidance issued by the Secretary of State.

Equality and Diversity

12. The Council is required by virtue of the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018, to ensure the accessibility of information published on its website. These accessibility requirements were taken into account in reformatting the Constitution.
13. The task and finish group had regard to the equality duty requiring the Council to tackle stereotypes and to consider whether the use of certain language within the Constitution reinforces inappropriate “norms”.

Consultation responses

14. Article 15.2 in the Constitution provides that changes to the Constitution shall only be approved by the full Council, after consideration of the proposal by the Chief Executive which happened prior to the publication of the report.

Alignment with Council Priority Areas

A modern and caring Council

15. The last major review provided the opportunity to bring the Constitution up to date, to review it against best practice and new accessibility requirements and to consider whether it remains fit for purpose.

Appendices

Appendix A: Proposed Revisions to Constitution

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