

Full Council

31 May 2016



Report of: Shahzia Daya, Interim Service Director – Legal and Democratic Services

Title: Amendments to the Constitution

Ward: Citywide

Officer Presenting Report: Not applicable

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Recommendation

To approve amendments to the constitution (full recommendations set out in the body of the report).

Summary

The report sets out a number of proposed constitutional amendments, which require Full Council approval. The changes proposed are primarily administrative updates, although some relate to meetings / decision making processes.

The significant issues in the report are:

As set out in the main report. The most significant changes are highlighted in Appendix A.



Policy

1. Not applicable

Consultation

2. **Internal**
Party group leaders and whips
3. **External**
Not applicable

Context

4. Constitutional changes require the approval of the Full Council.

Background

5. Article 16 of the constitution requires the Monitoring Officer to monitor and review the operation of the constitution to ensure that its aims and principles are given full effect. As indicated above, any changes require Full Council approval.
6. Section 37 of the Local Government Act 2000 also requires the Council to keep its constitution under review.

Procedure

7. Council procedure rule 21.2 provides that any motion to add to, vary or revoke the Council Procedure Rules (CPR 21.2) will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Full Council. In order to give immediate effect to any agreed changes to the Council Procedure Rules, **it is recommended that CPR 21.2 be suspended for the purposes of the meeting.**

Full Council is therefore:

A. RECOMMENDED:

To agree to suspend Council Procedure Rule 21.2 so that the proposed amendments to the Council Procedure Rules can take immediate effect, if approved.

Proposal

8. The Council's constitution is its primary document setting out how it operates its decision making processes and is comprised of the following parts:

- Part 1 - Summary and explanation
- Part 2 - Articles of the constitution
- Part 3 - Responsibility for functions
- Part 4 - Council procedure rules
- Part 5 - Council codes and protocols
- Part 6 - Members allowance scheme
- Part 7 - Council's management structure
- Part 8 - Members' details
- Part 9 - Forward plan

9. Appendix A sets out a summary of the main changes proposed. At Appendix B, documents are also attached showing the full “tracked changes” that are being proposed.
10. The changes relating to meetings and decision making processes have been discussed with the party group leaders. Other changes proposed are administrative changes made to reflect current/updated law and practice.

Full Council is therefore:

B. RECOMMENDED:

To agree the constitutional changes as set out in the report.

Other Options Considered

Not applicable.

Risk Assessment

Not applicable.

Public Sector Equality Duties

Not applicable.

Legal and Resource Implications

Legal

As set out in the main body of the report, constitutional changes require Full Council approval.

(Legal advice provided by Shahzia Daya, Interim Service Director – Legal and Democratic Services)

Financial

Not applicable.

Land

Not applicable.

Personnel

Not applicable.

Appendices:

Appendix A – Summary of constitutional changes

Appendix B – Documents showing the full detail of the “tracked changes” to the constitution.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: None.