

ANNEX 1

ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION PRINCIPAL PROPOSED AMENDMENTS

| CONSTITUTION SECTION | RELEVANT SECTION | PROPOSED CHANGES |
|---|-------------------------|--|
| <u>Part 2 – Articles of the Constitution</u> | | |
| Article 3 – Citizens and the Council) | 3.01 (c) Participation | To clarify the right to submit a deputation request (to Cabinet or Overview and Scrutiny Committees) and a petition (to Cabinet, Cabinet Members or Overview and Scrutiny Committees), and to make provision for Task Groups of Scrutiny Committees (see page Article 6 below) |
| Article 6 – Overview and Scrutiny Committees | Entire article | <p>To establish the Overview and Scrutiny Board and the 3 new Scrutiny Committees as in the separate report to Annual Council.</p> <p>New Sections 6.03 (Specific functions) is transferred and updated from the O&S Procedure Rules (see below) – it is more appropriate for these to appear in this Article. Para. 6.03 (b) (vii) provides for joint O&S Committees with other local authorities. Para. 6.03 (b) (viii) requires the participation of other organisations in the O&S process with a statutory duty to comply.</p> <p>New section 6.04 provides for the establishment of the new Scrutiny Board.</p> <p><i>Copies of this considerably revised draft Article will be available for inspection by Council Members at the Annual Meeting.</i></p> |

| CONSTITUTION SECTION | RELEVANT SECTION | PROPOSED CHANGES |
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| Article 8 - Regulatory & Quasi-judicial Committees | Audit Committee and Pensions Fund Investment Panel | To establish a combined Audit and Pensions Committee as in the separate report to Annual Council. |
| Article 12 - Officers and Employees of the Council | N/A | New Section 12.06 to establish the role of statutory Scrutiny Officer as required by the Local Democracy, Economic Development and Construction Act 2009 – see the separate report to Annual Council. |
| <u>Part 3 – Responsibility for functions</u> | | |
| The Executive – Leader and Cabinet Members | All | See separate report to Annual Council on the composition of the new Executive. The generic responsibilities of all Cabinet members have been brigaded into a single introductory section, rather than repeated in each portfolio list. |
| Overview & Scrutiny Committee membership | All | See separate report to Annual Council on membership of Overview & Scrutiny Committees |

| CONSTITUTION SECTION | RELEVANT SECTION | PROPOSED CHANGES |
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| Regulatory and Other Committees – Terms of Reference | Audit Committee Pensions Fund Investment Panel | To establish the terms of reference of the combined Audit and Pensions Committee, as in the separate report to Annual Council. <i>Copies of the proposed revised Terms of Reference will be available for inspection by Council Members at the Annual Meeting.</i> |
| Regulatory and other Committee Memberships | All | See separate report to Annual Council on the composition of these Committees. |
| Schemes of Delegation to Chief Officers | Director of Residents Services Director of Community Services Director of Environment | Minor amendments and additions have been made to these Schemes of Delegation to reflect changes in legal powers and in departments' organisation. |
| <u>Part 4 – Rules of procedure</u> | | |
| Council Procedure Rules: Order at Council and Committee Meetings) | Section 21 (g) | To provide for an exception in the prohibition on recording Council/Committee meetings to permit recording by officers. [NB. Further changes, to introduce the new statutory provisions relating to petitions and e-petitions, will be submitted for approval to Council on 30 June, in accordance with the Local Democracy, Economic Development and Construction Act 2009. These will replace the existing provisions] |

| CONSTITUTION SECTION | RELEVANT SECTION | PROPOSED CHANGES |
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| Access to Information Procedure Rules | Section 1 : Scope | To extend the Access to Information Rules to Overview & Scrutiny Task Groups. |
| Overview and Scrutiny Procedure Rules | Entire document | <p>As set out in the separate report to Annual Council:</p> <p>Section 1 – to make provision for the Scrutiny Board.</p> <p>[Old section 2. transferred to Article 6 (see above)]</p> <p>Revised Sections 7 and 28 to make provision for the Chairing and membership arrangements of the New Scrutiny Board and Select Committees.</p> <p>New Section 8 – to make provision for O&S Task Groups.</p> <p>Section 10 – Correction to extend Councillor Call to Action to any Councillor, not just those who are members of Overview & Scrutiny Committees.</p> <p>Section 20 – correcting a conflict with Rule 16 of the Access to Information Procedure Rules (p.400) – the agreement of a Chairman of a relevant Scrutiny Committee to be obtained that the taking of an urgent decision <u>not</u> in the Forward Plan cannot reasonably be delayed.</p> |

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| [Overview & Scrutiny Rules (cont.)] | | <p>Section 24 – extending the right to make deputations to Task Groups</p> <p>Section 25 – making specific provision for the business of the O&S Board and the Scrutiny Committees</p> <p><i>Copies of these considerably revised draft Rules will be available for inspection by Council Members at the Annual Meeting.</i></p> |
| Contract Standing Orders | <p>Waivers and exemptions</p> <p>Shortlisting and pre-qualification</p> <p>Awards criteria</p> <p>Post – tender negotiations</p> | <p>Changes have been made to incorporate latest best practice.</p> <p><i>Copies of the revised Contract Standing Orders (showing tracked changes) will be available for inspection by Council Members at the Annual Meeting.</i></p> |
| <u>Part 5 – Codes and Protocols</u> | | |
| Councillors' Support and Other Facilities: Guidelines for Use | <p>Section 2 – Quality confidential word processing service</p> <p>Section 5 – Advance Session Publicity</p> <p>Section 7 – Interest- free Loan Scheme</p> | <p>Deletion of this section – this service is no longer available.</p> <p>Clarifying that publicity leaflets provided to Councillors will be in pdf format.</p> <p>This scheme is no longer available.</p> |

| CONSTITUTION SECTION | RELEVANT SECTION | PROPOSED CHANGES |
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| Guidance for Councillors and Officers dealing with Planning and Licensing | Section 12 – Site visits | To make clear that any (exceptional) site visit must be by resolution of the Chairman of the Committee. This is to protect the Committee from criticism by interested parties. |
| Information Security Policy | Entire document | Incorporating the latest version of the Policy. |
| <u>Part 6 – Members’ Allowance Scheme</u> | | |
| Members’ Allowance Scheme | Entire document | See separate report to Annual Council. |
| <u>Part 7 – Management Structure</u> | | |
| Organisation charts | All | Incorporating latest departmental structures |