

## Amendments to the Constitution (March 2014)

Constitution (Part)	Heading & Number	Amendment
<b>Part 2 – Articles of the Constitution</b>	<b>Article 11 – Officer -11.6 Conduct</b>	Insert after Officer’s Code of Conduct –  (available on the internet under hastings.gov.uk.decisions democracy/transparency/code of conduct
	<b>Article 14 – Review and Revision of the Constitution - 14.1 Duty to monitor and review the Constitution</b>	Amend a typo so that it reads –  The Council’s Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.
	<b>Article 15 – Suspension, Interpretation and Publication of the Constitution – 15.3a</b>	Change ‘give’ to ‘make available’, so that it reads –  The Monitoring Officer will make available a copy of this constitution to each member of the authority upon delivery to him/her of that individual’s declaration of acceptance of office on the member first being elected to the Council.
<b>Part 3 – Responsibility for Functions</b>	Contents Page	Insert Flowchart of Council Committee

		Structure – Appendix 1
	Contents Page	Add after Licensing Committee (a Committee of the Council)
	Contents Page	Insert Licensing Committee (Scrap Metal Dealers)(a committee of the Cabinet)
	Contents Page	Add after Charity Committee (a committee of the Cabinet)
	<b>Responsibility for Council Functions Table of committees and their Function</b>	Add after Licensing Committee (a committee of the Council)
		Licensing Committee (Scrap Metal Dealers)(a committee of the Cabinet) –  Functions relating to the licensing of Scrap Metal Dealers as set out in the Scrap Metal Dealers Act 2013 or by virtue of any amending or consolidating legislation and any regulations made under the Act or such amending or consolidating legislation.
	<b>Text Version of Table of Committees and their Functions</b>	Insert after Licensing Committee (a committee of the Council)
		Insert Licensing Committee (Scrap Metal Dealers)(a committee of the Cabinet) –

		Functions relating to the licensing of Scrap Metal Dealers as set out in the Scrap Metal Dealers Act 2013 or by virtue of any amending or consolidating legislation and any regulations made under the Act as such amending or consolidating legislation.
		Schedule 2 Function which maybe (but need not be) the Responsibility of the Cabinet (Local Choice Functions) Add 17 - The determination of appeals against any decisions made by the Head of Finance in consultation with the Leader of the Council in respect of applications for discretionary non-domestic rate relief – Cabinet – panel of three members.
<b>Part 4 – Rules of Procedure</b>	Re-number pages <b>Add No.31 – Procedural Appendices</b>	1. Minute’s Silence at Council Meetings 2. Honorary Freedom of the Borough
	<b>Extraordinary and Special Meeting</b> <b>3. Special Meetings</b>	Add 3.4 - Immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the

		minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.
	<b>10. Petitions Scheme</b>	<p>After the first sentence insert -</p> <p>The subject of any petition to be presented must relate to a matter for which the Council has powers, duties or functions or which affects the Borough or part of it or its inhabitants. However, the Council will not deal with a petition which in the opinion of the Monitoring Officer is vexatious, abusive or otherwise inappropriate to be considered under this rule.</p>
	<b>10.2 Consultation Petitions</b>	Delete the words traffic orders.
	<b>10.8 How will the Council respond to Petitions?</b>	<p>Add -</p> <p>If the petitioner is heard at any meeting of the Council they will be given up to 5 minutes in which to address the meeting followed by questions from Councillors (if</p>

		applicable). Only one member of the delegation presenting the petition should be allowed to speak and must be someone who resides or works in the Borough.
	<b>11. Public Question Time - General</b>	<p>Insert -</p> <p>Members of the public who reside or work in the Borough may, in accordance, with these rules ask questions of the Leader and Lead members, including the Chair of Charity Committee, at ordinary meetings of the Council, on any matter within the Borough Council's powers, duties or functions. Public question time will last no longer than 30 minutes.</p>
	<b>14. Motions on Notice – Motions set out in Agenda</b>	<p>Insert -</p> <p>If a motion set out in the summons is not moved either by a member who gave notice thereof or by some other member on their behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.</p>

		<p>Insert new 14.6 (or some other member on their behalf) – so that it reads</p> <p>The proposer and seconder (or some other member on their behalf) of the motion are entitled to speak.</p>
	<b>25 Application to Committees and Sub-Committees</b>	<p>Add Rule 13.3 to Cabinet Rules</p> <p>Application to Committees and Sub-Committees add rule 13.3 to Cabinet Rules – this provides that items that have not been reserved for discussion are deemed adopted.</p>
<b>Part 6 – Members Allowances</b>	<b>Note</b>	<p>Last page – Insert new paragraph -</p> <p>The Mayor and Deputy Mayor receive a subsistence allowance. Currently the allowance approved is £6,226.00pa for the Mayor and £2,033.00 for the Deputy Mayor from 1 April 2014. This allowance is not part of the Members Independent Remuneration Panel’s remit.</p>