

Report to: Cabinet

Date of Meeting: 8th July 2019

Report Title: Amendments to the Council's Constitution

Report By: Christine Barkshire-Jones
Chief Legal Officer and Monitoring Officer

Purpose of Report

Cabinet is asked to consider the constitutional amendment.

Recommendation(s)

- 1. To recommend that the amendment to the Council's Constitution be adopted by Full Council.**

Reasons for Recommendations

The Council's Constitution is the basis for the Council's Corporate Governance.

Introduction

1. The Council's Constitution is the basis for the Council's Corporate Governance. It needs amending on a regular basis either as a result of discussions at Working Arrangement Group and/or changes in legislative provisions or working practices.
2. Amendments that the Chief Legal Officer is bringing to this meeting are as a result of a conflict of interest by members of the Standards Committee in considering a standards complaint necessitating changes to Part 2 of the Constitution. Members of Working Arrangement Group have been consulted and are supportive of the change.
3. Part 2 - Articles of the Constitution - Article 9 – The Standards Committee delete 9.2. d “Members of the Standards Committee may not appoint substitutes” and replace with "Members of the Standards Committee may on written application to the Monitoring Officer (or Deputy Monitoring Officer) at least three working days prior to the meeting appoint substitutes only if in the opinion of the Monitoring Officer (or Deputy Monitoring Officer) in consultation with the Chair or Vice Chair of the Standards Committee sitting councillors have a conflict of interest in any matter to be considered."
4. This is to allow substitutions onto the Standards Committee in exceptional cases where there is a conflict of interest which will ensure that the meeting is quorate. Substitution will only be approved in circumstances where there is clear evidence on an interest for example, members of the Planning Committee or Licensing Committee hearing a complaint arising from a meeting that they attended. Substitutes will receive training on Standards prior to hearing a complaint.

Timetable of Next Steps

1. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Report to Cabinet		8 th July 2019	Chief Legal Officer
Report to Full Council		24 th July 2019	Chief Legal Officer

Wards Affected

All Wards

Implications

Relevant project tools applied? Yes

Have you checked this report for plain English and readability? Yes

Climate change implications considered? Yes

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	Yes
Local People's Views	No
Anti-Poverty	No

Organisational Consequences

The change to the Constitution is to allow substitutions onto the Standards Committee in exceptional cases where there is a conflict of interest which will ensure that the meeting is quorate.

Additional Information

Part 2 of the Constitution shown as tracked changes

Officer to Contact

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