

**Report to:** Cabinet

**Date of Meeting:** 6 July 2015

**Report Title:** Amendments to the Council's Constitution

**Report By:** Christine Barkshire-Jones  
Chief Legal Officer

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### **Purpose of Report**

The Council's Constitution is the basis for the Council's Corporate Governance. It is necessary to amend and improve the document on an ongoing basis.

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### **Recommendation(s)**

- 1. Cabinet recommend to Council the approval of the changes to the Council's Constitution.**

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### **Reasons for Recommendations**

The Council's Constitution is the basis for the Council's Corporate Governance. It is necessary to amend and improve the documents on an ongoing basis.

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1. The amendments to the Constitution have arisen from the Senior Management re-structure. Parts 7 and 8 have had to be completely re-drafted.

Whilst undertaking that process Part 8, Standing Instructions to Officers has been generally updated to ensure that officers can carry out their statutory functions.

There have been further minor amendments throughout.

2. The Leader of the Council suggested that the rule on Council motions be re-worded to:-

Motions must be about matters for which the Council has a responsibility or which affects Hastings and/or its residents. The ruling of the Monitoring Officer in consultation with the Mayor shall be final as to the relevance of the motion.

This will allow more motions to be discussed at Council in cases whereby the Council do not have functions or the responsibility to address.

3. This report has been to WAG on 17 June 2015. They approved the amendments subject to adding "and/or its residents" to the re-worded motion.

## **AMENDMENTS to Part 2, 3, 4 and 7 - please see Amendments to the Constitution 2015 Appended**

### **Part 2 - Articles of the Constitution**

### **Part 3 - Responsibility for Functions**

### **Part 4 - Rules of Procedure**

### **Part 7 - Management Structure**

### **Part 8 - Standing Instructions to Authorised Officers**

Appended

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#### **Wards Affected**

None

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#### **Policy Implications**

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

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### **Additional Information**

Appendix 1 - Amendments to the Constitution 2015  
Appendix 2 - Part 7 - Management Structure  
Appendix 3 - Part 8 - Standing Instructions to Authorised Officers

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### **Officer to Contact**

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