

<b>Report title</b>	<b>Annual Review of the Constitution 2024</b>
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<b>Department</b>	Law and Governance
<b>Exempt?</b>	No

**Purpose of report:**

- **To recommend to full Council**

**Synopsis of report:**

**This report details recommended updates to the Council’s Constitution from the Constitution Member Working Party.**

**Recommendation(s):**

**That the Council be recommended to adopt the proposed changes to the Constitution, as detailed in this report, to come into effect at the beginning of the municipal year i.e. 15 May 2024.**

**1. Context and background of report**

- 1.1 The Council undertakes reviews of the Constitution on an annual basis to ensure that provisions remain necessary and current.

**2. Report and, where applicable, options considered and recommended**

- 2.1 The Constitution Member Working Party considered a series of proposed changes at its meetings during this municipal year. The changes that are proposed are itemised at Appendix 1 of this report. Also accompanying this report is the suite of documents that have been updated as part of this review.
- 2.2 Members are asked to focus their attention on the content of proposed amendments, which have been shown as tracked changes where practical. Formatting checks will be undertaken by officers prior to its publication.
- 2.3 Members are advised that it was impractical to display tracked changes for the revised Contract Standing Orders document, due to sections being moved in their entirety. The Head of Procurement provided a separate summary of the proposed changes to assist with the Member Working Party’s understanding of the proposed changes.
- 2.4 The Publicity and Media Handling Protocol (now to be known as the Publicity, Media and Social Media Handling Protocol) has been comprehensively refreshed, having last been

reviewed several years ago, to account for new ways of interacting with residents and other parties. It was therefore not practical to provide tracked changes for this document.

### **3. Policy framework implications**

- 3.1 The Constitution is the Council's primary governance document. It encompasses a number of provisions and policies that govern the way in which the Council operates.

### **4 Resource implications/Value for Money**

- 4.1 The review of the Constitution was carried out within existing resources and the proposed changes have minimal resource implications. Officers will continue to strongly encourage individuals to refer to electronic versions of the Constitution, particularly because of the cost of printing it. Ensuring that members and officers refer to the latest provisions is also important now that in-year updates are becoming more frequent.

### **5. Legal implications**

- 5.1 Councils are required to prepare and maintain a Constitution under the provisions of Section 9P of the Local Government Act 2000 and subsequent Constitution Direction issued by the then Secretary of State.

### **6. Equality implications**

- 6.1 None.

### **7. Environmental/Sustainability/Biodiversity implications**

- 7.1 The structure of the Constitution as a document was reviewed last year, with the aim to making it significantly more accessible as an electronic resource with a view to minimising the number of requests for paper copies.

### **8. Risk Implications**

- 8.1 None.

### **9. Other implications**

- 9.1 None.

### **10. Timetable for Implementation**

- 10.1 Subject to the agreement of the Corporate Management Committee and the Council, the latest version of the Constitution will come into effect on 15 May 2024.

### **11. Conclusions**

- 11.1 The Council is under a statutory duty to prepare and maintain a Constitution and the annual review exercise enables the Council to demonstrate compliance with its legal duty. Adoption by the Full Council of the revised Constitution is the final stage in the review process.

### **12. Background papers**

None.

### **13. Appendices**

- Appendix 1 – summary of proposed changes to the Constitution
- Appendix 2 – proposed changes to document 2d (Article 4 – The Full Council)
- Appendix 3 – proposed changes to document 2h (Article 8 – The Standards and Audit Committee)
- Appendix 4 – proposed changes to document 3a (committee responsibilities)
- Appendix 5 – proposed changes to document 3b (scheme of delegation to officers)
- Appendix 6 – proposed changes to document 4a (council, committee and administrative standing orders)
- Appendix 7 – proposed changes to document 4d (scheme for responding to petitions)
- Appendix 8a – summary of proposed changes to document 4e (contract standing orders)
- Appendix 8b – proposed revised document 4e (contract standing orders)
- Appendix 9 – proposed revised document 5s (Publicity, Media and Social Media Handling Protocol)