

<b>Report title</b>	<b>Minor Amendments to the Constitution</b>
<b>Report author</b>	Mario Leo – Corporate Head of Legal and Governance
<b>Department</b>	Legal and Governance
<b>Exempt?</b>	No
<b>Exemption type</b>	Not applicable
<b>Reasons for exemption</b>	Not applicable

**Purpose of report:**  
**To recommend to full Council**

**Synopsis of report:**  
**This report proposes minor amendments to the Council’s Constitution, following a meeting of the Constitution Member Working Party (CMWP).**

**Recommendation(s):**

- 1. That the proposed minor amendments to the Council’s urgency provisions (Standing Order 42) and the Contract Standing Orders be recommended to the Council for approval.**
- 2. That the Corporate Head of Legal and Governance be delegated authority to make further necessary amendments to the Constitution, to give effect to the amendments proposed in this report.**

**1. Context and background of report**

- 1.1 Councils are required to maintain a Constitution, the provisions within which are governed by Section 9P of the Local Government Act and subsequent Constitution Direction issued by the then Secretary of State.
- 1.2 The proposed amendments contained within this report are considered sufficiently urgent to bring forward outside the annual review cycle, in order to ensure that the Council’s decision-making process remain efficient and robust.

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

Urgency provisions - Standing Order 42

- 2.1 The Constitution Member Working Party (CMWP) considered a proposal to modernise the sign off arrangements of the Council’s urgent decision-making provisions. The existing provision is solely reliant on the supply of physical signatures, which brings inherent delays to formalising urgent decisions. It was

therefore proposed that Runnymede's process be updated to permit the e-mail sign-off of urgent decisions, with certain safeguards incorporated, such as the use of Council email accounts when doing so. It should be noted that many other Councils have already adopted a paperless approach to officer level decision making (including the process of consulting with the requisite members). Alternative options, such as DocuSign, were considered however such facilities attract a subscription cost.

- 2.2 The CMWP explored the robustness of the proposed process and was satisfied that as long as the clear agreement of the individual concerned could be demonstrated via their Council e-mail account, such a process could operate with the necessary probity. It should be noted that the proposed amendments do not preclude the member(s) or officer(s) concerned from providing physical signatures (either on a document put before them, or electronically), should it be their preference to do so. Just for the sake of clarity the urgency provisions are used in situations where a committee decision is required but due to time constraints the decision in question needs to be made before a meeting will take place. In such instances the Council's Constitution allows for officers to make the decision required but they are obliged to consult specified Councillors before exercising that delegated power. It should be stressed that the officer makes the decision and not the Councillor. The Councillors express a view which the officer must have regard to in when making their decision.
- 2.3 The proposed minor amendments to the Council's urgency provisions are attached at Appendix A.

#### Contract Standing Orders

- 2.4 Following a review of the Council's CSOs by the Head of Procurement, minor amendments that clarify the Council's existing provisions have been proposed. The proposed amendments do not change existing processes. The CMWP noted that further amendments to the CSOs may be necessary once the Procurement Bill received royal assent.
- 2.5 The CMWP was supportive of the proposed minor amendments, whilst noting that reports to the Corporate Management Committee would continue to clearly outline any proposed processes in relation to matters such as the recommended route to market.
- 2.5 The proposed minor amendments to the Council's CSOs are attached at Appendix B.

### **3. Timetable for Implementation**

- 3.1 The proposed amendments, subject to obtaining the agreement of the committee, will be considered at the next ordinary meeting of the Council.

### **4. Appendices**

- Appendix A – proposed amendments to Standing Order 42
- Appendix B - proposed amendments to the CSOs