

APPENDIX N

Amendments to the Constitution

PART 1

SUMMARY AND EXPLANATION

3. How the Council operates.

In the fourth paragraph amend “Deputy Leader” to “Deputy Leader(s)”

After paragraph 7 insert a ‘Definitions’ the following wording to be inserted:-

Definitions

1972 Act	Means the Local Government Act 1972
1989 Act	Means the Local Government and Housing Act 1989
2000 Act	Means the Local Government Act 2000
Best Value	The duty, which Part I of the Local Government Act 1999 places on local authorities, to secure improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness as implemented by the council.
Budget	The revenue and capital budget in any one year
Cabinet	The decision-making body of the Council with responsibility for Executive functions, as defined in the 2000 Act.
Cabinet Member	Those elected Members appointed to the Cabinet by the Leader
Call-in	The process by which Scrutiny Members may challenge or require further information on a Cabinet decision.
Chair of Committee	The elected Chair or in his or her absence, the Vice Chair. The term may also apply to an elected Member elected to preside in the absence of the Chair and Vice Chair.
Clear Working Days	Excludes Saturday, Sunday, Bank and Public Holidays where relevant, the day of despatch of an agenda, summons or notice where relevant, the day of the meeting.
Committee	Means any Committee, Sub Committee, Panel, Working Party or Board, formally established, whether or not it includes co-opted Members, unless otherwise indicated
Confidential Information	As defined in Section 100A(3) of the Local Government Act 1972, this covers information provided to the council by a Government department on terms, which prohibit its disclosure and information, which the council is prohibited from disclosing by statute or by court order (See Part 4b Access to Information).
Cabinet Member	Those elected Members appointed to the Cabinet by the Leader
Constitution	The document describing the decision-making arrangements for the council, together with the detailed rules and procedures for the operation of the decision-making arrangements.

Council	The principal decision maker
Declaration of interests	The requirement for Members to give notice of their interests in matters related to an item under consideration (see also Disclosable Pecuniary Interests and Non-Pecuniary Interests).
Delegated Powers	The description of the level of authority delegated to a committee, sub-committee, panel Cabinet Member or Officer
Deputy Leader(s) of the Council	The Member(s) appointed by the Leader as Deputy Leader(s) for a four year term.
Disclosable Pecuniary Interest	The requirement for Members to register and declare any financial or beneficial interests as defined in Part 5a – Member Code of Conduct – June 2025.
Dispensation	Reference to ‘dispensation’ in Part 5a-Members Code of Conduct means under section 33 of the Localism Act 2011.
Employee Code of Conduct	The Code adopted by the Council which describes the conduct required of his Officers.
Exempt information	As defined by Section 100(1) of the Local Government Act 1972, this includes a number of different categories of information, under which council is entitled to withhold certain reports from the public (see Part 4b – Access to Information Procedure Rules)
Extraordinary Meeting	A meeting of the Council convened for specific purposes
Financial Procedure Rules	The council’s financial regulations incorporated with the Constitution (see Part 4f – Financial Regulations),
Forward Plan	The published document which provides the statutory notice of the intention by the Executive, an Executive Member or an Officer
Group Leader	The Member identified by a political group as its leader by notice in writing
Head of Paid Service	The Officer designated as such under Section 4 of the Local Government and Housing Act 1989 (see Article 10)
Honorary Freeman of the Borough	A person of distinction and person who has in the opinion of the Council, rendered eminent services to the City, Borough or Royal Boroughs as permitted by the 1972 Act.
Honorary Alderman	A persons who has, in the opinion of the Council, rendered eminent services as past members but who are no longer serving.
Key Decision	As defined by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulation 2012, the most significant decisions to be taken by the Executive. A more specific decision can be found at Article 11 – Decision Making.
Leader of the Council	The elected Member elected by Council as leader for a four year term.
Local Choice Functions	As detailed in Part 3of the Constitution, the description of responsibility for local choice functions under Section 13(3)(b) of the Local

	Government Act 2000 to the Council, the Executive, regulatory committees and Officers.
Mayor	The Member elected by the Council annually to preside over meetings of the Council and to act as the ceremonial head of the Council.
Member	An elected councillor (also referred to as a Councillor) of the Council or of a Committee as appropriate. It includes the co-opted Members of the Committee.
Members' Allowances Scheme	The scheme approved by Council on recommendation from the independent remuneration panel for the payment of allowances to Members (See Part 6)
Members' Code of Conduct	The Code adopted by the Council which describes the conduct required of elected Members of the Council (see Part 5a)
Monitoring Officer	The Officer designated as such under Section 5 of the Local Government and Housing Act 1989 or his/her deputy (see Article para 10.4)
Non-Key Decisions	Executive decisions taken by the Cabinet, Cabinet Committees, Executive Members and Officers on less significant matters in accordance with the specified procedure.
Non-Pecuniary Interests	The requirement for Members to register and declare any non-financial interests as defined in Part 5a.
Notice in Writing	Includes notice sent by post or email.
Officers	Employees of the council
Ordinary Meeting	Means a meeting of the Council, Cabinet or Committee, as the case may be which is included in the calendar or meetings approved by the Council except the Annual Meeting of the Council,
Policy Framework	The plans and strategies which together make up the overarching policy direction determined by the Council (see Article 4.1 Meanings)
Political Group	As defined in the Local Government (Committees and Political Groups) Regulations 1990, any group of at least two Members who have notified the Head of Paid Service in writing that they wish to be treated as a political group.
Portfolio Holder	Otherwise known as Executive Members, those Elected Members appointed to the Executive with defined areas of responsibility called portfolios.
Proper Officer	An officer of the council who is appointed (usually in the constitution or by resolution) to perform specific statutory duties on behalf of the authority.
Quasi-Judicial	A process of decision-making which is similar to a court of law, in that each party with an interest in the matter under consideration has an opportunity to make their case, following which a decision on the facts and representation is made.
Quorum	The minimum number of Members required to be present for a meeting to be properly convened.

Regulatory Committees	Those Committees of the Council falling outside the executive arrangements that are charged with regulatory functions, such as development management, licensing, etc.
Scrutiny	A process of holding the Executive to account.
Section 151 Officer	The Officer designated as such under Section 151 of the Local Government Act 1972 (see Section 11).
Senior Officer	Means an officer employed by the Council on Senior Officer Salary Scale or above.
Standing Order	Means the Standing Orders (in Part 4) and any reference to a particular numbered Standing Order will be construed accordingly.
Terms of Reference	The description of what a committee, sub committee or panel may concern itself with.
Urgent Matter	Means a matter which is to be considered at a meeting of the Council, the Cabinet, a Committee or a Sub Committee by virtue of S.100B(4)(b) of the 1972 Act.
Year	Means a municipal year running from one Annual Meeting of the Council until the next , unless a calendar year or a year commencing on any other date is specified.

PART 2

Articles

ARTICLE 4 – THE COUNCIL

4.2 Functions of the Council

Amend paragraph k by deleting and replace with: -

k. the ratification of the appointment or notice of dismissal to the Head of Paid Service, Section 151 Officer, Monitoring Officer (via a Committee of the Council), Strategic Directors, the Council’s Electoral Registration Officer, Deputy Electoral Registration Officer and Returning Officer.

ARTICLE 7 – THE EXECUTIVE

Amend paragraph 7.5 The Deputy Leader by deleting and replacing as follows:

7.5 The Deputy Leader(s)

The Leader appoints a Deputy Leader(s) from the Cabinet Members whose term of office will be the same as the Leader’s save that the Leader can replace the Deputy or Deputies at any time. The Deputy Leader(s) will exercise all the powers of the Leader in her/his absence.

ARTICLE 10 – OFFICERS

10.3 Officer structure

Remove “Assistant Director” and replace with “Director (Planning & Regulation)”

PART 3

RESPONSIBILITY FOR FUNCTIONS

2.5 Planning & Development Committee – Quorum 4

iii. Remove the word “Assistant”

Amend **2.11.2 Housing Development and Regeneration Working Group – Quorum 3**
to:-

2.11.2 Housing Development Working Group and Regeneration Working Group

Deleting the following:-

Membership: Chair - Leader of the Council

Portfolio Holder for Housing, Health and Older People

Portfolio Holder for Resources

Portfolio Holder for Environment and Regeneration

Portfolio Holder for Neighbourhoods & Co-operative Council

Amending “HOUSING DEVELOPMENT” to “HOUSING DEVELOPMENT WORKING GROUP” and “REGENERATION” to “REGENERATION WORKING GROUP”

3.2 Executive Portfolio

After the paragraph: -

The Leader allocates broad areas of its responsibilities and functions to individual Members who serve on the Executive. The Leader may allocate a portfolio area to be shared (joint portfolio) between two Cabinet Members, in which case, it remains a single portfolio and the allowance is shared between the Cabinet Members. These areas of responsibility are called ‘Executive Portfolios’ and are decided by the Leader:

Add:-

Delete from CULTURE. LEISUE & INFORMAITON to the end of RESOURCES AND TRANSFORMATION inclusively.

4.4 Council Functions

- a. Remove the word “Assistant”
- e. Remove the word “Assistant”
- f. Remove the word “Assistant”
- g. Remove the word “Assistant”

Delete in its entirety -

APPENDIX A

EXECUTIVE, COMMITTEES AND SUB-COMMITTEES-MEMBERSHIP

PART 4

RULES OF PROCEDURE

Delete the following:-

(i) Definitions

and

All of DEFINITIONS sections inclusively.

Part 4f – Financial Regulations

Remove all references to “Assistant Director” and replace with “Director”.

Part 4g – Contract Procedure Rules

Remove all references to “Assistant Director” and replace with “Director”.

Part 4h – Officer Employment Procedure Rules

Remove all references to “Assistant Director” and replace with “Director”.

Part 5a -Member Code of Conduct

Amend paragraph 4 to read:

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation (see Appendix C) .

If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Add "Appendix C – Dispensations"

If you would like the authority to consider granting you a dispensation where you have a DPI or other Interest, you must make a prior written request to the Monitoring Officer. The grounds under which such an application will be considered are detailed below:

Dispensation grounds

A dispensation may be granted only if, after having had regard to all relevant circumstances, the Standards Committee considers that—

- a) without the dispensation the number of Councillors prohibited from participating in any particular business, would be so great a proportion of the body transacting the business, as to impede the transaction of the business;
- b) without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
- c) granting the dispensation is in the interests of persons living in the authority's area;
- d) without the dispensation each member of the authority's executive would be prohibited from participating in any particular business to be transacted by the authority's executive, or
- e) considers that it is otherwise appropriate to grant a dispensation

A dispensation must specify the period for which it has effect, and the period specified may not exceed four years."

Part 5b – Protocol for Relationships between Officers and Members.

Remove all references to “Assistant Director” and replace with “Director”.

Employee Code of Conduct

Remove all references to “Assistant Director” and replace with “Director”.