

COUNCIL 29th September 2021

Report Title	Constitutional Amendments
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List of Appendices

Appendix A - Substitute Allocations

Appendix B - Start Time of Full Council Meetings

1. Purpose of Report

1.1. For Council to consider amendments to the Council's Constitution.

2. Executive Summary

2.1 Full Council are requested to consider potential amendments to the Council's Constitution. These were considered by the Constitutional Working Group at its meeting on 23rd August 2021 and by the Democracy and Standards Committee at its meeting on 16th September 2021. Both the Group and the Committee agreed for these suggested amendments to be forwarded to Council for determination.

2.2 The suggested amendments cover three areas: -

- Substitute Allocations
- Start time of Full Council Meetings
- Presentation of Planning reports

3. Recommendations

3.1 It is recommended that Full Council:

- a) Approve the proposal in **Appendix A** - Substitute Allocations;
- b) Approve the proposal in **Appendix B** - Start Time of Full Council Meetings; and

- c) Approve a change to the Part 2. “Procedures for speaking at planning committees” in that under 2.2 add “...their report and...” after the words “...the Planning Officer to present...”.

3.2 Reason for Recommendations –

- Member approval of these amendments would be required as they fall outside of the Monitoring Officer’s general delegation to amend the Constitution where appropriate.

4. Report Background

- 4.1 The Democracy and Standards Committee has overall responsibility for reviewing the Council’s Constitution and decision-making governance and recommending any proposed changes to Full Council.
- 4.2 To assist in undertaking the above responsibility a Constitutional Working Group was formed.
- 4.3 The Group received a copy of the draft Constitutional Amendments at its meeting held on 23rd August 2021 and were invited to comment. The Group endorsed the Rules for formal discussion by the Committee and recommended approval.
- 4.4 The Democracy and Standards Committee considered these items at its meeting of 16th September 2021. Following discussion, the Committee agreed for these recommendations to be forwarded to Council for determination.

5. Issues and Choices

5.1 Substitute Allocations

As detailed in **Appendix A**, currently there is no clear guidance relating to the substitute arrangements for all of the Council’s committees. The purpose of the proposal is to ensure this guidance is put in place. This will assist recognised political groups in knowing what nominations are required and assist in the arrangements for Annual Council in the number of positions which need to be filled. The Committee are recommending support for this proposal.

5.2 Start Time of Full Council Meetings

As detailed in **Appendix B**, it is suggested that the normal start time of Full Council meetings is moved from 7:00 pm to 2:00 pm with the Full Council Budget meeting starting at 10:00 am. Some concern was expressed by members in discussion that bringing the start time of Full Council meetings forward may create difficulties for some councillors, however it was noted that Full Council meetings are infrequent, that Full Council meetings that may run late into the evening create issues for some councillors, that the proposed start time still allows for work etc in the mornings, and that councillors are allowed in some circumstances time off from work for public duties.

5.3 **Part 2. Procedures for speaking at planning committees**

The Committee considered the normal order of speakers at Planning committee meetings. Some concern was expressed regarding the inability within the existing procedure rules for the Planning Officer presenting a report to address issues raised by public speakers. It was agreed that it was important for Planning Officers to present their reports to Committee, including the provision of any relevant update information. This information would also be of interest to public speakers ahead of them being called by the Chair to address Committee.

It was also felt important that the Planning Officer have the ability to address Committee following all public contributions.

In order to clarify the procedure, it is being suggested that the existing 2.2 of the procedure be amended to read (amendment in bold and underlined): -

*“For each item, the Committee Chair will introduce the item and ask the Planning Officer to present **their report and** any updates. The Chair will then call any registered speakers to present their comments to the Committee.”*

The order of speakers under 2.3 of the Procedure would be unamended and continue as written and would allow the Planning Officer to summate under 2.3.e.

6. Implications (including financial implications)

6.1 **Resources and Financial**

6.1.1 None specific to this report.

6.2 **Legal**

6.2.1 The Monitoring Officer has delegated authority to make administrative changes to the Constitution to reflect changes in the law, changes to the Council's management structure and other changes with no significant impact. The proposals subject to this report require Council determination.

6.3 **Risk**

6.3.1 The Council needs to ensure that the efficiency and effectiveness of its governance systems are monitored, and clear approved procedures are put in place with regard to decision-making.

6.4 **Consultation**

6.4.1 Constitutional Working Group
Democracy and Standards Committee

6.5 Consideration by Scrutiny

6.5.1 N/A.

6.6 Climate Impact

6.6.1 None specific to this report.

6.7 Community Impact

6.7.1 None specific to this report.

7. Background Papers

7.1 Council Constitution.