

**Report for: Standards Committee**

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Date of Meeting:	13 March 2024
<b>Subject:</b>	<b>Amendments to the Constitution</b>
Cabinet Member:	Cllr Luke Taylor, Leader
Responsible Officer:	Maria de Leburne – Director of Legal, HR & Governance (Monitoring Officer)
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix 1 – list of proposed changes

**Section 1 – Summary and Recommendation(s)**

To provide Members with proposed required amendments to the Constitution.

**Recommendation(s):**

- 1. That Standards Committee recommends to Full Council that the Constitution be amended as per the list within Appendix 1.**
- 2. That the Standards Committee recommend to Full Council that delegated authority is provided to the Director of Legal, HR & Governance (Monitoring Officer) to amend the Constitution as per Appendix 1 and any other amendments required to reflect the changes.**

**Section 2 – Report**

**1.0 Introduction**

- 1.1** There have been changes within the Leadership team. The Director of Business Improvement and Operations has left the Council and this role has not been replaced. The Director of Place role has been replaced by the Director of Place and Economy. The role of District Solicitor and Monitoring Officer has been replaced by the Director of Legal, HR & Governance (Monitoring Officer).

This has meant that the delegations and job titles contained within the Constitution need to be amended.

## **2.0 Proposed Changes**

- 2.1 These have been set out within Appendix 1 attached to this report.
- 2.2 The proposed changes to delegation are detailed on Appendix 1 and Sections 1 and 5 are regarding delegations. This includes the new delegations regarding the new Building Control legislative requirements. There are also changes to Part 4 Council Procedure rules.
- 2.3 The amendments also include a previous planning committee decision from 21 March 2018 - with the exception of small scale proposals, applications for ground mounted solar PV arrays recommended for approval be brought before the Committee for determination.
- 2.4 Having had the changes to public questions approved by Full Council on the 6 September 2023 we have had opportunity to consider and review how this has worked. There are recommendations as per Appendix 1.
- 2.5 Following a PAS review of the Councils Planning Committee, one of their recommendations contained within their review in March 2023 was removal of public question time. We are not aware of any other planning committees which have a public question item on the agenda. Members of the public have already had their opportunity during the planning process to make relevant representations such as support or objections, and experience shows that public question time here is simply used to repeat issues and objections already made, adding considerable length to what is already one of the longest committee meetings of the council. During the relevant item at the planning committee there is still the opportunity for 1- applicant/agent, 1- objector, 1- parish councillor, and 1- ward member. This ensures a balanced representation at committee, rather than an additional for example 10+ members of the public in support or objecting to an application, which could potentially be seen as persuading the committee. The intention is that national best practice is adopted and the relevant amendment is as per Appendix 1.

## **3.0 Next Steps**

- 3.1 That Standards Committee agree the proposed recommendations as listed at the outset of this report to Full Council.

## **Financial Implications**

There are no financial implications to the proposed changes to the Constitution.

## **Legal Implications**

If Council wishes to direct that changes be made to the Constitution this initially is considered by the Standards Committee and then will require Full Council's approval

## **Risk Assessment**

There are no risks.

## **Impact on Climate Change**

None

## **Equalities Impact Assessment**

None directly arising from this report, but impacts must be considered carefully in any decisions which result in a change to current practices affecting those with protected characteristics.

## **Relationship to Corporate Plan**

Our values and priorities – equally important to the 'what' we are trying to achieve, is the 'how' the organisation operates and conducts itself.

## **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Maria de Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 29.2.24

**Chief Officer:** Stephen Walford

Agreed by or on behalf of the Chief Executive

**Date:** 05.03.2024

**Performance and risk:** Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 05.03.2024

**Cabinet member notified:** (yes/no)

## **Section 4 - Contact Details and Background Papers**

**Contact:** Maria de Leburne, District Solicitor and Monitoring Officer

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**Background papers:** None