

Board/Committee:	Full Council
Date of meeting:	9 June 2022
Title:	Changes to the Constitution
Author:	Borough Solicitor & Monitoring Officer
Status:	For decision

Purpose

To consider an amendment to the Constitution so as to remove standing order 5.11 “Reference to Council (Service Boards only)” also known as the minority order.

Recommendation

That the Council approves the amendment to the Constitution to remove standing order 5.11 “Reference to Council (Service Boards only)” appearing at Part 4 Schedule 11 to take place with immediate effect.

1.0 Background

- 1.1** The Council operates a Committee System by which decisions are taken by Boards and Committees. The Council is able to determine how to organise and divide up its responsibilities amongst the Boards and Committees and to make amendments to the Constitution as it sees fit.
- 1.2** The Council currently has 3 Service Boards; Policy and Organisation Board, Housing Board and Community and Environment Board. It also has a Regulatory Board, which deals with planning and licensing applications, and which is not a Service Board.

2.0 Report

- 2.1** The Constitution includes a standing order at 5.11 of Part 4 Schedule 11 which enables any decision at a Service Board to be postponed until the item has been considered by a subsequent meeting of the Full Council, where demanded by two members of the Board. Specifically, the rule states:

“5.11 Reference to Council (Service Boards only)

5.11.1 Immediately following a vote on a decision taken by a Service Board under delegated powers (and before the next agenda item is called) 2 members of the Service Board present and voting at the meeting may require that the decision be submitted to the Council as a recommendation

5.11.1 Where a reference has been made pursuant to Standing Order 5.11.1 the decision of the Service Board shall not be implemented before consideration of that recommendation by the Council”

2.2 It is proposed to amend the Constitution by way of the removal of standing order 5.11 in full so as to enable the business of Service Boards not to be delayed by requiring a meeting of Full Council to be convened in order to take decisions on matters which Full Council has delegated to those Service Boards.

2.3 Those matters which remain the responsibility of Full Council are unaffected and part 1 reports may still be referred to the Full Council from Service Boards as and when required.

3.0 Conclusion

3.1 The report sets out proposed changes to the Constitution by way of removal of standing order 5.11 Reference to Council (Service Boards only) also known as the minority order.

Financial Services comments:	N/A
Legal Services comments:	Contained within the report
Equality and Diversity:	N/A
Climate Change implications:	N/A
Crime and Disorder:	N/A
Service Improvement Plan implications:	N/A
Corporate Plan:	N/A
Risk Assessment:	The Council must keep the Constitution under review and the report fulfils this obligation.
Background Papers:	None
Appendices:	None
Report Author/Lead Officer:	Paul Grant, Borough Solicitor and Monitoring Officer