

Appendix		
Constitution changes 2024/25		
Index of parts of the Constitution.	Group together relevant items e.g. functions and delegations and proper officers under individual sections.	Will be part of the report to Standards Committee at its meeting on 7 th May 2025.
Director of Finance and Resources' delegations	Specific Delegations to Officers in Section 19, number 3 Director of Finance and Resources and Section 151 Officer on page 141.	Add the following as 3.14 and renumber: 3.14 Where an area is to be regenerated and a Council House within that area becomes void, to retain the property as void until such time as the regeneration scheme is commenced or a decision is taken not to proceed.
New Contract Procedure Rules as a result of the Procurement Act 2023 implementation.	Replace Contract Procedure Rules at Section 22 on page 170 Implementing the Procurement Act 2023.	New Contract Procedure Rules attached.
Restriction on participation in a deferred planning decision.	The Functions Scheme, Section 17, 2 Planning Committee Terms of Reference page 116.	Add at the end: <u>Deferred Planning Committee consideration of planning application</u> Councillors must not take part in the Planning Committee's determination of an application, unless they have been present to hear the entire debate, including the officers' introduction to the matter and any speakers comments. If an application has previously been deferred after the public speakers, then the same Councillors will be asked to reconsider the application when it is returned to Planning Committee.

Assistant Directors and Directors' general delegation.	Delegation of Council Functions and Executive Functions to Officers – section 15 page 87	<p>Add to the end of 9.1:</p> <p>where there is no direct delegation covering the matter.</p> <p>Add to 9.3 as follows:</p> <p>9.3 To sign licenses, notices and orders relevant to their service areas subject to consultation with the Monitoring Officer</p>
HOPS delegation	<p>Specific Delegations to Officers Section 19 page 136.</p> <p>1. Managing Director and Head of Paid Service.</p>	<p>Add after 1.20 and renumber following paragraphs:</p> <p>1.21 Following consideration by JCG, to approve operational policies relating to the management of people within the organisation except where the policy is a new policy or there is significant disagreement with the Unions as to the content. A new policy is one which covers a part of the Employer/Employee relationship not previously covered by a policy.</p>
Assistant Directors and Directors' general delegation.	Delegation of Council Functions and Executive Functions to Officers – Section 15 page 91.	<p>9.13 To deal with procurement matters including procurement exercises and finalising subsequent contractual arrangements whilst at all times acting in accordance with the Council's Finance Rules and Contract Procedure Rules.</p>
Assistant Directors and Directors' general delegation.	Delegation of Council Functions and Executive Functions to Officers – Section 15 page 90.	<p>Amend as follows:</p> <p>9.9 To decide the terms upon which services will be provided to the public (which may include providing services on different terms to different individuals or classes of</p>

		<p>individuals). This includes changes to fees and charges for services.</p> <p>Although as originally drafted fees and charges are part of the terms on which a service is provided, this will make it explicit in the delegation.</p>
Council Procedure Rules	Council Procedure Rules – Section 10(2) page 54 – motions on notice.	<p>Add:</p> <p>(h) the motion contains more than one topic and the topics are unrelated.</p> <p>This is so that the motion is focussed and does not include a wide number of non related subjects.</p> <p>Add</p> <p>(i) the proposed motion is longer than 300 words.</p> <p>On occasion there have been motions which have been excessively long. Where a proposer is unwilling to amend the motion, there should be authority to reject in the circumstances.</p>
Planning Committee Terms of Reference	Functions Scheme – section 17 page 106.	<p>Amendment of paragraphs (c) to (e) to refer to material planning considerations and to refer to a District ward councillor as follows:</p> <p>(c) A District Ward Councillor or the Ward Councillor for an adjoining Ward has notified the Assistant Director of Planning / the Planning Manager – Development Management or the application case officer in writing or by e-mail within 3 weeks of the publication of the weekly list of their contention that the application should be</p>

		<p>determined by the Planning Committee and the notification is supported by one or more planning grounds material planning considerations, the planning issues to be fully explained by the Member calling it in or the Chair of Planning (or Vice Chair in their absence) has agreed to the application being considered by Planning Committee.</p> <p>(d) A District Ward Councillor or the Ward Councillor for an adjoining Ward has notified the Assistant Director of Planning, the Planning Manager - Development Management or the application case officer by email before the application has been determined the planning reasons material planning considerations why they contend the application should be determined by Planning Committee or the Chair of Planning (or Vice Chair in their absence) has agreed to the application being considered by Planning Committee, and</p> <p>(e) the Assistant Director of Planning has accepted the planning reasons material planning considerations which have been put forward and has advised and/or has received the consent of the Planning Committee Chair or Vice Chair that the application should be heard and decided by the Planning Committee.</p> <p>This is in order to ensure that the reasons given by the Councillor are mainly planning reasons.</p>
Planning Committee Terms of Reference	Functions Scheme – section 17 page 116.	After:

	Delegation of functions to officers	<ul style="list-style-type: none"> • Making Tree Preservation Orders (TPOs) except where there are any objections or other representations made in opposition to the proposed making of a TPO. <p>Add:</p> <ul style="list-style-type: none"> • Amending or revoking Tree Preservation Orders (TPOs). Where there are any objections or other representations made in opposition to the proposed amendment or revocation of a TPO, the delegation to the officer to be in consultation with the Chair of the Planning Committee.
Licensing and Scrutiny Committees terms of reference in Section Seventeen of the Functions Scheme in the Constitution.	<p>Change to rules on substitutes to allow for substitutes to be available for Committees in addition to Planning.</p> <p>This would allow the membership of the Licensing Committees and Scrutiny Committees to be substituted by the Leader of the relevant political group.</p> <p>It is not advised to allow this for the Audit Committee or the Standards Committee.</p>	<p>Add the following to the terms of reference of the Licensing, Scrutiny and Standards Committees:</p> <p>Each Party Leader will supply an annual list of the substitute Councillors from their Party to the Governance Manager in advance of the Annual Meeting.</p> <p>Nominated Members of each political group may act as substitutes on the Committee and will undertake training alongside other Committee Members. Substitutes may vote at Meetings.</p> <p>Any substitutions must be notified to the Governance Manager in advance by midday the working day before the meeting.</p> <p>If a Substitute Councillor is present at a meeting at which a Councillor (who they are substituting for) joins the meeting during the course of proceedings, the Substitute Councillor may not take part from that point.</p>

		<p>Add the following green text to the Planning Committee Terms of Reference:</p> <p>Any substitutions must be notified to the Governance Manager in advance by midday the working day before the meeting.</p> <p>Add the following to the Standards Committee Terms of Reference:</p> <p>Substitute Councillors will not be allowed to sit on Hearing Panels of the Standards Committee.</p>
Scrutiny Committees terms of reference in Section Seventeen of the Functions Scheme in the Constitution	To clarify the role of the Joint Scrutiny Committee	<p>Add the following to the terms of reference for Scrutiny Committees:</p> <p>Joint Scrutiny Committee</p> <p>To consider the Council's budget proposals and any other cross cutting work that requires input of all four scrutiny committees.</p> <p>The Chair of the Joint Scrutiny Committee will be elected at the start of the meeting from one of the Chairs of the four themed scrutiny committees.</p>