
SUBJECT:	Review of the Council's Constitution
REPORT OF:	Monitoring Officer
RESPONSIBLE OFFICER	Jim Burness, Director of Resources
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WARD/S AFFECTED	None

1. Purpose of Report

In accordance with the agreed work plan to undertake a detailed review of Part B Procedural Rules.

RECOMMENDATION

That the Committee consider and agree the proposed revisions to Part B of the Constitution at Appendices 1 to 7

2. Reasons for Recommendation

To ensure the Council's Constitution is up to date and user-friendly for members, staff and the public and to introduce harmonised procedures with Chiltern District Council where this will facilitate more effective running of shared services.

3. Content of Report

- 3.1 The Committee agreed a work programme for reviewing and updating the Council's Constitution at their meeting in July. This report deals with Part B Procedural Rules. The proposed changes are shown in track changes in the appendices to this report and the main issues are explained in more detail below.
- 3.2 The Political Balance Rules at Appendix 1 have been amended to reflect new committees established since the Constitution was last reviewed in 2015.
- 3.3 Proposed revisions to the Council Procedure Rules at Appendix 2 include the following issues:-
- Clarification of the order of business at annual council meetings including the establishment of committees and the procedure for appointing chairman for the council year
 - Updating the order of business at ordinary meetings of the council including provision for presentations from relevant organisations such as TVP and a standing item on the receipt of petitions and deputations which was omitted from the 2015 revision

- Provision for filling casual vacancies and for temporary changes to Committee membership
- Additional safeguards on the right to record council proceedings

- 3.4 The Cabinet Procedure Rules at Appendix 3 have been updated to reflect changes made by the Localism Act 2011.
- 3.5 The Overview and Scrutiny Procedure Rules at Appendix 4 have been amended to replace the words "proper officer" with the title of the relevant council officer for ease of reference.
- 3.6 The Access to Information Procedure Rules at Appendix 5 have also been amended to replace the words "proper officer" with the title of the relevant council officer for ease of reference.
- 3.7 No revisions are proposed to the Budget and Policy Framework Procedure Rules at Appendix 6.
- 3.8 Revised Officer Employment Procedure Rules are attached at Appendix 7 to comply with amendments to the Mandatory Standing Order Regulations 2001 which require the appointment of Independent Persons to a Panel dealing with disciplinary action against statutory officers. The Rules have also been updated to reflect the appointment of the Joint Staffing Committee.

4 Consultation

The Committee is asked to consider whether, and if so how, they wish to consult on the proposed revisions with members more widely, either via committees/cabinet or individually.

5 Options

The Committee is being invite to consider and agree the revisions to the Framework document and can suggest further changes if considered appropriate.

6. Corporate Implications

Financial – There are no financial implications arising directly from this report.

Legal – As set out in the report

Risks issues – The lack of an up to date and effective Constitution could increase the risk of governance failures

Equalities - None specific

7. Links to Council Policy Objectives

There are no direct links to the policy objectives. But the Council has a statutory duty to maintain an up to date Constitution and publish this on the website.

8. Next Steps

As set out in the agreed work programme.

Background Papers:	None except those referred to in the report
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