

Constitution Review

Part 1 – Explanation and Summary

Following approval to implement a new format for the Council's Constitution, Part 1 of the document is a new Explanation and Summary section.

This document seeks to map out how areas of the original Constitution have transitioned to the new Explanation and Summary section, together with those areas that are recommended for deletion. It should be read in conjunction with the newly proposed Explanation and Summary section, together with the working copy of the original Constitution which is colour coded as follows:

Green = transferred and embedded into the new Explanation and Summary section

Red = recommended deletion

The below table sets out those pages of the original Constitution impacted in developing the new Explanation and Summary section:

Pages	Section(s)	Explanation
4-5	<ul style="list-style-type: none"> - The Council's Constitution - What is the Constitution? - How the Council Operates 	Included in new document
5	How decisions are made	Title deleted as misleading and adds no value
5-7	<ul style="list-style-type: none"> - Cabinet Arrangements - Overview and Scrutiny - The Council's Staff - Rights of the Public 	Included in new document
6	The Council's Staff	Unnecessary signposting to another Part of the Constitution removed
6	Rights of Members of the Public	Unnecessary signposting to another Part of the Constitution removed Removal of paragraph which adds no value
8	Political Balance	Deletion of political balance - no requirement to include political balance within the Constitution, not included in the model Constitution and not good practice to do so. This information can be found on the Council's website together with wider Councillor information

The below table sets out recommended additions not included in the current Constitution, or recommended amendments to sections set out in the current Constitution for inclusion in the new document. These are highlighted in yellow on the new Part 1 – Explanation and Summary document:

Recommended Additions:

Relevant section	Addition	Reason
What is in the Constitution?	Article 19 (Review and Revision of the Constitution)	It is good practice to have such an Article included in the Constitution
What is in the Constitution?	Article 20 (Suspension, Interpretation and Publication of the Constitution)	It is good practice to have such an Article included in the Constitution
Overview and Scrutiny	List of Overview and Scrutiny Committees	It is good practice to make reference to the specific Overview and Scrutiny Committees that form part of the Council's Committee structure
Regulatory Committees	New section entitled Regulatory Committees	There was no reference to Regulatory Committees in the Constitution under this section and it is good practice to explain their role and that they have decision-making powers
Rights of Members of the Public	Inspection of the Cabinet Forward Plan	This is a right that the public have which is currently not included in the list of their rights
Rights of Members of the Public	Make written representations in relation to licensing and planning applications	This is a right that the public have which is currently not included in the list of their rights
Rights of Members of the Public	Submit petitions to the Council in accordance with the Council's Petitions Scheme	This is a right that the public have which is currently not included in the list of their rights
Rights of Members of the Public	Submit complaints to the Monitoring Officer if they can evidence that a Councillor has breached the Council's Code of Conduct	This is a right that the public have which is currently not included in the list of their rights
Rights of Members of the Public	Seek information which the Council must disclose under the Freedom of Information Act 2000	This is a right that the public have which is currently not included in the list of their rights

Rights of Members of the Public	Make their views known to the Council on any matter	It is good practice to include reference to this right
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The below table sets out proposed amendments to the existing Constitution which are set out in the new Part 1 – Explanation and Summary. These are highlighted in blue within the new Part 1 document:

Recommended Amendments:

Relevant section	Amendment	Reason
Overview and Scrutiny	Amendment of wording in section	Better explains the Overview and Scrutiny function
The Council's Staff	Amendment of wording regarding the Member/Officer Protocol	Makes correct reference to the Member/Officer Protocol
Rights of Members of the Public	Various amendments in the list of bullet points	Better explains the relevant aspects included
Rights of Members of the Public	Contact details for comments, compliments and complaints	Updated to reflect new contact details