

# Constitution Sub-Committee

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<b>Date of Meeting:</b>	17 <sup>th</sup> November 2017
<b>Report of:</b>	Acting Director of Legal Services & Monitoring Officer
<b>Subject/Title:</b>	Review of the Constitution – General

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## **1.0 Report Summary**

- 1.1 This report recommends a process which will ensure that the revised Constitution, to be presented to the Constitution Committee for consideration, is complete and incorporates all requested amendments.

## **2.0 Recommendations**

- 2.1 That the Constitution Committee be recommended to approve the proposed approach to collating and summarising the revised content and Explanatory Note(s) as set out in the main body of this report.

## **3.0 Reasons for Recommendations**

- 3.1 To implement the decision of the Constitution Committee on 4<sup>th</sup> August 2017.

## **4.0 Detailed Proposals**

- 4.1 The review of the whole Constitution has been a substantial exercise. In order to achieve that, it has been 'segmented' into five separate Work Packages, as set out in previous meetings of the Sub-Committee:
- Work Package 1 was presented to Sub-Committee and approved on 15<sup>th</sup> September 2017
  - Work Packages 2, 3 and a substantial section of 4 were presented to Sub-Committee and approved on 3<sup>rd</sup> November 2017, subject to a number of requested amendments. Those amendments are now being incorporated into the revised documents.
  - Work Packages 4 (including all remaining sections) and 5 are being presented to Sub-Committee today, for approval. Those amendments requested by Sub-Committee on 3<sup>rd</sup> November 2017 on the first part of Work Package 4 have been incorporated – these have already been agreed and are included for information o and completeness only, and do not require further debate today.

- 4.2 It is necessary, however, to bring all those Work Packages together into a single document for presentation to the Constitution Committee on 30<sup>th</sup> November 2017; the publication date for those papers is 22<sup>nd</sup> November 2017. This is not a small exercise, and will necessarily change all the paragraph referencing and page numbering of the content previously presented to Sub-Committee.
- 4.3 We also need to provide reassurance to the Constitution Committee that all requests and recommendations of the Sub-Committee have been addressed and incorporated where necessary.
- 4.4 In order to achieve this, and to ensure consistency between the different Work Packages as part of the collation exercise, we propose the following approach to bringing this work to the Constitution Committee on 30<sup>th</sup> November 2017:
- A new draft Constitution is presented in whole as a single document which takes into account those matters agreed as part of the various Work Packages, together with all changes and other recommendations of the Sub-Committee.
  - A combined Explanatory Note (List of Substantive Changes) which lists all of the original substantive issues raised with the Sub-Committee, in accordance with the agreed approach, together with a note against each one which records the recommendations of the Sub-Committee.
  - A general report which highlights any changes arising from the collation process, together with any additional issues that may arise between the meetings of the Sub-Committee and presentation of the final set of recommendations to the Constitution Committee.
  - A combined document of all content previously held within the Constitution that is now proposed to sit *outside* the Constitution, in accordance with the process agreed at the Sub-Committee on 3<sup>rd</sup> November 2017, together with that which will be agreed at this meeting.
- 4.5 We have already committed to the following additional processes if requested:
- Provide printed copies of both the existing Constitution and the revised Constitution to any Member that requests them
  - Highlight any specific changes (with page number references for both documents) as requested by Members on a case-by-case basis, if these are not immediately apparent and/or incorporated within the Explanatory Note (List of Substantive Changes).
- 4.6 Any changes requested by the Constitution Committee on 30<sup>th</sup> November 2017 will be incorporated into the documentation ahead of presentation to Council on 14<sup>th</sup> December 2017.

4.7 Any further consequential changes arising between presentation to Constitution Committee on 30<sup>th</sup> November 2017 and Council on 14<sup>th</sup> December 2017 will be dealt with under delegated powers by the Monitoring Officer, subject to drawing full attention to these in the aforementioned general report.

## **5.0 Wards Affected and Local Ward Members**

5.1 All wards are affected.

## **6.0 Policy Implications**

6.1 Policy Implications are unchanged from the position set out in the report to Constitution Committee on 4<sup>th</sup> August 2017.

## **7.0 Access to Information**

7.1 The Constitution Committee papers of 4<sup>th</sup> August 2017 and 5<sup>th</sup> October 2017 relate.

## **8.0 Contact:**

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