

<b>Title of Report</b>	<b>ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION</b>	
<b>Presented by</b>	Councillor Keith Merrie MBE Finance and Corporate Portfolio Holder	
<b>Background Papers</b>	Current Constitution Working Group Minutes	<b>Public Report:</b> Yes
<b>Financial Implications</b>	There are no direct financial implications arising.	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	The Monitoring Officer has reviewed the Constitution to ensure that members and officers can make robust effective decisions. The proposed changes are based on legal advice and best practice.	
	<b>Signed off by the Deputy Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	There are no direct staffing or corporate implications arising.	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	To explain the outcome of the Monitoring Officer's review of the Constitution and present proposed changes.	
<b>Recommendations</b>	<b>THAT COUNCIL ADOPTS THE PROPOSED CHANGES TO THE CONSTITUTION AS SET OUT IN APPENDICES A to G WITH EFFECT FROM 1 MARCH 2026 (EXCEPT FOR THE AMENDMENTS TO THE APPOINTMENTS COMMITTEE WHICH WILL COME INTO FORCE IN THE NEW CIVIC YEAR IN MAY 2026).</b>	

## **1.0 BACKGROUND**

- 1.1 The Local Government Act 2000 requires each local authority to prepare, keep up to date and publicise the document known as the Constitution.
- 1.2 The Constitution should be logical, integrated and accessible to members, officers, the public and anyone else interested in the way a local authority makes its decisions. There is also a statutory requirement on the Council's Monitoring Officer to keep the Constitution up to date, and accordingly the updating of the Constitution is an on-going process.
- 1.3 Full Council considers reports on the annual review of the Constitution. The updates are generally required due to legislative and organisational changes or to clarify and improve processes within the Council to reflect best practice. The proposed changes have been considered by Audit and Governance Committee before Council.

## **2.0 METHOD OF REVIEW**

- 2.1 The review of the Constitution was led by Legal Services and involved consultation with officers on areas of the document which needed to be updated/amended for the purposes of clarity, to reflect any changes in the law and incorporating any feedback raised by Members.
- 2.2 As with the previous reviews and the interest expressed by Members in this area of work, a cross party Member working group was established to feed into the work on the Constitution. The Governance Working Group comprised of Councillors Cooper, Moulton, Simmons (Chair), Smith and Johnson, and met on the following dates:
- 18 September 2025 (also attended by the Strategic Director of Resources)  
16 December 2025  
22 January 2026 (also attended by the Strategic Director of Resources and Head of HR)
- 2.3 The Working Group had agreed its terms of reference at an earlier meeting which was convened to review the Arrangements for Dealing with Complaints against Councillors. At the meeting of the Group held in September 2025, the Group agreed the timetable for the review of the Constitution and the way that it wished to see information presented to it. The appendices to this report reflect the approach agreed by the Working Group. Appendix A shows the proposed changes in a summary schedule of changes. Appendix B takes extracts from each relevant section of the Constitution and shows the proposed changes as tracked changes. This enables Members to see the proposed changes in one place and in the context of the Constitution document. Further appendices show larger scale amendments to standalone parts of the Constitution.
- 2.4 Any feedback from the group has been taken into account in updating the relevant sections. Members have provided invaluable insight and constructive challenge to the review process and are thanked for their time and work on this project.

## **3.0 SUMMARY OF MAIN CHANGES PROPOSED**

- 3.1 A schedule summarising the proposed changes to the Constitution is provided at Appendix A. An extract from the Constitution showing the changes is provided at Appendix B. A hyperlink on the first page helps navigate to the relevant sections.
- 3.2 Proposed changes to the Budget Framework Policy are set out in Appendix C.
- 3.3 Proposed revisions to the current Petition Scheme are set out in Appendix D.
- 3.4 Suggested amendments to the Financial Procedure Rules are set out in Appendix E.
- 3.5 Proposed changes to the Staffing Committee and Officer Employment Procedure Rules are set out in Appendices F and G respectively.

## **4.0 AUDIT AND GOVERNANCE COMMITTEE**

- 4.1 The Audit and Governance Committee considered the proposed changes to the constitution on 4 February 2026. One proposed amendment to the scope of the Audit and Governance Committee was agreed not to be taken forward. The Committee made a recommendation that Council adopt these with effect from 1 March 2026, except for the amendments to the Appointments Committee which will come into force in the new Civic Year in May 2026.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	A well-run Council which is trusted by customers to provide its services.
Policy Considerations:	The Constitution sets out how the Council makes decisions and its governance arrangements.
Safeguarding:	N/A
Equalities/Diversity:	N/A
Customer Impact:	A clear yet comprehensive Constitution will enable customers to understand the functions and responsibilities of the Council and hold the Council to account.
Economic and Social Impact:	N/A
Environment, Climate Change and zero carbon:	N/A
Consultation/Community Engagement:	N/A
Risks:	An up-to-date Constitution is a legal requirement.
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