

BROMSGROVE DISTRICT COUNCIL

COUNCIL

20th November 2019

Changes to the Council's Constitution

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|---------------------------------|---------------|
| Relevant Portfolio Holder | Cllr G Denaro |
| Portfolio Holder Consulted | Yes |
| Relevant Head of Service | Claire Felton |
| Ward(s) Affected | All |
| Ward Councillor(s) Consulted | N/A |
| Key Decision / Non-Key Decision | Non-key |

1. SUMMARY OF PROPOSALS

- 1.1 This report asks the Council to consider proposed changes to the Constitution arising from a recommendation of the Constitution Review Working Group, which meets on a regular basis, the most recent meetings been 3rd October and 11th November 2019.

2. RECOMMENDATIONS

- 2.1 That the Council Procedure Rules in respect of extra ordinary meetings be amended as detailed in Appendix 1.

3. KEY ISSUES

Financial Implications

- 3.1 There are no direct financial implications arising directly from this report.

Legal Implications

- 3.2 The Council is required by law to maintain a constitution which sets out how the Council makes decisions.

Service / Operational Implications

- 3.3 In 2014 a small working group was set up to review the Constitution. This Working Group has continued to meet regularly since that date and more recently has increased its membership. It is now made up of the Leader and Deputy Leader and the Group Leaders and Deputy Group Leaders from the Labour and Independent Alliance political groups. The Chief Executive and Head of Legal, Equalities and Democratic Services support the work of the Group, with other officers being invited to attend to cover specific areas which are being considered.
- 3.4 At its meeting held on 3rd October 2019 the Constitution Review Working Group considered a number of topics, including amendments to the Council Procedural rules in respect of Extra Ordinary meetings.

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- 3.5 The changes included were legislative and merely brought the Procedure Rules in line with the legal requirement. These are attached at Appendix 1 in track changes for Members consideration.
- 3.7 The Working Group continue to meet regularly throughout the municipal year and review the Constitution and make any necessary changes in order to ensure that it is up to date and meets all legal requirements.

Customer / Equalities and Diversity Implications

- 3.15 There are no specific customer or equalities implications arising from this report.

4. RISK MANAGEMENT

- 4.1 The main risks associated with the details included in this report are failure to comply with legislative and governance requirements which may expose the Council to the risk of challenge by way of judicial review or appeal which may result in awards of damages and costs against the Council and loss of reputation.

5. APPENDICES

Appendix 1 - Council Procedure Rules

6. BACKGROUND PAPERS

None

AUTHOR OF REPORT

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