

Report of the Monitoring Officer

AMENDMENTS TO THE CONSTITUTION1. Purpose of report

Following consideration by the Governance, Audit and Standards Committee, Council is asked to consider amendments to the Local Joint Consultative Committee, Policy Overview Working Group and the Events, Arts, Culture and Heritage Working Group and in addition to provide a provision in the Constitution to allow for urgent items to be considered at full Council meetings.

2. **Recommendation from the Governance, Audit and Standards Committee:**

Council is asked RESOLVE that:

- 1. The arrangement to add a provision for the consideration of urgent business at full Council meetings be approved,**
- 2. The amendments to the terms of reference for the Policy Overview Working Group be approved,**
- 3. The amendments to the terms of reference for the Events, Arts, Culture and Heritage Working Group be approved,**
- 4. The amendments to the Local Joint Consultative Committee Constitution be approved.**

3. Detail

At the Council meeting held on 12 July 2023, the Council Procedure Rules were suspended to allow for a motion to be heard which had not been submitted in accordance with the rules set out for motions on notice. It was queried by Members whether provision could be included in the Constitution to allow for the consideration of urgent business. In accordance with the request, a suggested procedure is included for consideration in appendix 1.

Further amendments are included in appendix 1 to the terms of reference for firstly, the Policy Advisory Working Group, which enables early sight of proposed policies to help shape the documents, and secondly, the Events, Arts, Culture and Heritage Working Group, sets out the number of meetings for the Group.

Minor amendments have been made to the Local Joint Consultative Committee Constitution at appendix 2. The amendments, in red, are to reduce the size of the committee from 18 to 14 Members to reflect a reduction in union membership, in addition to updating the proportionality around current union representation at the Council. A change table is attached as appendix 3. The Bramcote Bereavement Joint Services Committee is also currently being reviewed but requires further legal input and will be reported at a future Governance, Audit and Standards Committee.

4. Governance Audit and Standards Committee Meeting Consideration

At its meeting on 18 September 2023, the Governance, Audit and Standards Committee considered the report and added provisions for Hybrid Meetings to the Terms of reference for the Events, Arts, Culture and Heritage Working Group

Furthermore, under consideration of the Local Joint Consultative Committee Constitution, and following suggestions from Union comments, it was added that the Committee may appoint working parties where necessary in addition to requesting consideration of revisions to the Terms of Reference at its following meeting. Any revisions would be submitted to the Governance, Audit and Standards Committee and full Council in accordance with the Council's Constitution.

5. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no financial implications to consider with any costs being contained within existing budgets.

6. Legal Implications

The comments from the Head of Legal Services and Deputy Monitoring Officer were as follows:

No comments

7. Human Resources Implications

There were no comments from the Human Resources Manager.

8. Union Comments

There were no Unison comments in relation to this report.

9. Data Protection Compliance Implications

There are no Data Protection issues in relation to this report.

10. Climate Change Implications

There were no climate change implications as a result of this report.

11. Equality Impact Assessment

As there is no change to policy an equality impact assessment is not required.

12. Background Papers

Nil.

APPENDIX 1**URGENT BUSINESS**

The Council may deal with business even though it is not on the Agenda if that business is considered to be urgent.

Urgent business means business that requires the urgent attention of Council in connection with a matter that affects the Borough and for which the Council has a responsibility for: public health, safety a financial or legal matter and which needs to be dealt with before the next Ordinary meeting.

The procedure for urgent business is as follows:

- the business is raised by a Motion on Notice under Rule 11 (Motions on Notice);
- the Motion on Notice is delivered to the Chief Executive no later than midday on the day before the meeting.
- The Mayor at the meeting, or the Voting Councillors, decide that the business is urgent and
- the agenda relating to the meeting states that the Council may deal with urgent business at that meeting.

The Chief Executive may reject the motion if it:

- does not meet the definition of urgent business;
- is vexatious, abusive or otherwise inappropriate;
- relates to a planning decision;
- relates to a licensing decision;
- relates to any other matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
- requires the disclosure of confidential or exempt information;
- is outside of the Council's scope of business or responsibility.

The Mayor shall refer the urgent Motion to the Voting Councillors. The Voting Councillors will then decide whether or not the Motion on Notice is urgent and required to be debated. If they decide that it is urgent, they will debate it under Rule 13 Rules of Debate. If they decide that the matter is not urgent, the motion shall be deferred to the next Ordinary Council Meeting (i.e. not to an Extraordinary Council Meeting, an Annual Meeting, or a meeting to set the budget).

Policy Overview Working Group

Note: The Policy Overview Working Group is a Working Group of the Cabinet,

Membership, Chair and Quorum

Number of Members	13
Substitute Members Permitted	Yes
Political Proportionality Rules Apply	At the Leader's discretion
Appointments / Removals	The Leader
Restrictions on Membership	<ul style="list-style-type: none"> • Must have at least one Cabinet Member on the Working Group <p>The following Councillors may not serve on the Policy Overview Working Group;</p> <ul style="list-style-type: none"> • Members of the Overview and Scrutiny Committee
Restrictions on Chair / Vice Chair	As above
Quorum	One quarter (1/4) of Members rounded up to be no less than 4
Number of Ordinary Meetings per Council Year	<p>Up to 10</p> <p>Frequency and timing of meetings to be determined by the Chair</p> <p>Hybrid Meeting</p>

Remit and Terms of Reference

- To consider and recommend to Cabinet Council policies and strategies for the Portfolios of Resources and Personnel Policy, Housing, Economic Development and Asset Management, Community Safety, Leisure and Health, and Environment and Climate Change.
- **New policies, plans and strategies will be submitted initially to the Working Group for Member consultation before being resubmitted for a recommendation to the suitable body.**
- **Time critical reports, policies, plans and strategies with minor or no amendments would go straight to Cabinet.**

- To also include supporting reviewing and making recommendations towards the implementation of Member facilities, expenses, and allowances.

Events, Arts, Cultural and Heritage Working Group

Note: The Events, Arts, Cultural and Heritage Working Group is a Working Group of the Cabinet,

Membership, Chair and Quorum

Number of Members	13
Substitute Members Permitted	Yes
Political Proportionality Rules Apply	At the Leader's discretion
Appointments / Removals	The Leader
Quorum	One quarter (1/4) of Members rounded up to be no less than 4
Number of Ordinary Meetings per Council Year	Up to 6 Frequency and timing of meetings to be determined by the Chair Hybrid Meeting

Remit and Terms of Reference

- To further promote the **development and** management of **the DHL Museum, other local museums and sites of local heritage** under the heritage banner.
- To promote the health and vitality of town centres and communities through a planned programme of events and arts programmes.
- To promote close co-operation with our twin towns in Gutersloh and friendship arrangement in Myskow and to bring forward the CCity project across Europe to Broxtowe.
- To promote the Council's heritage and culture through **collaborative** working with our European partners.