

Report of the Monitoring Officer

Annual Constitution Review

1. Purpose of Report

To consider amendments to the Constitution and to recommend these to full Council to be adopted.

2. Recommendation

The Committee is asked to RECOMMEND to Council that the amendments to the Constitution, as detailed in the Appendix 3, be approved.

3. Detail

Under its terms of reference, this Committee is tasked with an overview of the Council's Constitution, consideration of proposed amendments or revisions and to recommend to Council amendments to this Constitution. A Task and Finish Group (the Group) was formed to consider a review of the Constitution. A number of issues were raised which have resulted in recommendations for consideration at this meeting, these are the order of business at full Council meetings, the method by which appointments are made to Committees and working groups, urgent items procedural rules revisited, business considered at Budget Council meetings, the terms of reference of the Advisory Shareholder Sub-Committee, the use of a proforma for motions submitted to full Council and increasing the number of objectors that could speak on a planning item and supplementary clarification questions to be permitted via the Chair. Further detail is included in **Appendix 1** and the proforma is included at **Appendix 2**.

Further consideration was given to the role of ex-officio members at meetings and how urgent business was defined and conducted. However, agreement was not reached by the Group and further consideration will be given to these topics at future meetings.

The Group also raised concerns about allowing planning agents to speak at Planning Committee meetings. It was considered that this may intimidate members of the public who would otherwise speak and possibly cause some reluctance to speak. The Head of Legal services consulted the Assistant Director of Planning and Economic Development who raised concerns over removing agents speaking at Planning Committee, as it was thought that agents were able to offer professional assistance to the Committee. After further consideration the Group agreed that agents could continue to speak and this would be reviewed when the Constitution was next revised. A change table reflecting these amendments is included at **Appendix 3**.

The Council meeting held on 14 May 2025 agreed changes to the Scheme of Delegation which reflected changes to a number of Officers' job titles. The amendments which were agreed were included in an updated version of the Constitution.

4. Financial Implications

The comments from the Interim Deputy Chief Executive were as follows:

There are no additional financial implications to consider as part of this report, with any costs being contained within existing budgets.

5. Legal Implications

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

Section 37 of the Local Government Act 2000 requires local authorities operating executive arrangements to prepare and keep up to date a document which contains: (a) such information as the Secretary of State may direct (b) the authority's standing orders (i.e. rules of procedure) (c) the code of conduct for members (d) such information as the authority considers appropriate. Broxtowe Borough Council's Constitution is available on the Council's website.

6. Human Resources Implications

There were no comments from the Human Resources Manager.

7. Union Comments

There were no comments necessary from the Unions.

8. Climate Change Implications

There are no climate change implications contained within the report

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

This is not a change to policy so an Equality Impact Assessment is not required.

11. Background Papers

Nil.