

**Report of the Monitoring Officer****Annual Constitution Review****1. Purpose of Report**

To consider amendments to the Constitution as recommend by the Governance, Audit and Standards Committee at its meeting on 24 November 2025.

**2. Recommendation**

**Council is asked to CONSIDER the amendments to the Constitution, as detailed in Appendix 3, and RESOLVE accordingly.**

**3. Detail**

Under its terms of reference, the Governance, Audit and Standards 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 resulted in recommendations for consideration at its meeting on 24 November 2025, these were 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 in included at **Appendix 2**.

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.

On consideration of the Group's recommendations it was further suggested that there should be time limits placed on Portfolio Holders' speeches at full Council meetings, Portfolio Holders' reports and Members' Questions allowed at Budget Council meetings, motions be placed before urgent business when considering the order of business at full Council meetings, and to allow for substitutes at

Bramcote Bereavement Services Joint Committee meetings. 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.