

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

To consider amendments to the Constitution as recommended by the Governance, Audit and Standards Committee, in addition to a proposed change to Financial Regulations and an update on the legislative changes to the Planning Committee's responsibilities.

2. Recommendation

Council is asked to:

- 1. RESOLVE that the proposed amendment to the Financial Regulations be approved.**
- 2. NOTE the legislative changes to the Planning Committee in Appendix 3, and the proposed amendments to the Constitution.**
- 3. RESOLVE that the amendments regarding the timing of the Advisory Shareholder Committee and the number of ex-officio members as detailed in appendix 2 be approved.**
- 4. RESOLVE that the amended recommendation regarding voting at full Council be approved as follows:**

12.11.2 If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote. Any vote at Full Council to move to next business contained in Chapter 2 Of the Constitution, will require a 66% majority of those members voting and present in the room at the time the question was put.

12.11.3 If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. Any vote at Full Council that the question now be put contained in Chapter 2 of the Constitution, will require a 66% majority of those members voting and present in the room at the time the question was put. If it is passed they will give the mover of the original motion a right of reply before putting his/her motion to the vote.

12.11.4 If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will give the mover of the original motion or an amendment, or a substantive motion (as the case may be) a right of reply and then put

the procedural motion to the vote. Any vote at Full Council to adjourn a debate or meeting contained in Chapter 2 of the Constitution, will require a 66% majority of those members voting and present in the room at the time the question was put.

3. Detail

At its meeting on 21 September 2026 the Governance, Audit and Standards Committee considered a report on Amendments to the Constitution following a meeting of the Constitution Task Group on 8 June 2026.

The Committee considered setting out amendments to the Constitution recommended by the Constitution Task Group at its meeting on 8 June 2026, relating to the timing of the Advisory Shareholder Sub-Committee, the method of voting on changes to Council Procedure Rules, and the number of ex-officio Members provided for in the Constitution. Additional amendments were also considered at the meeting to the original proposition. The Committee also considered a proposed amendment to Financial Procedure Rule 14.4, to extend the exception permitting Officers to negotiate and settle leases and rents for industrial units and commercial properties, up to an annual rental of £100,000, without referral to Cabinet, to all such properties rather than Beeston Square alone; and noted forthcoming statutory changes to the Planning Committee's call-in procedure arising from the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026, which take effect from 31 October 2026 and would be given effect through the Monitoring Officer's delegated authority to make legislative amendments to the Constitution.

Attached as a reference is the report considered at the Governance, Audit and Standards Committee on 21 September 2026.

Further detail is included in **Appendix 1** of the referenced report and a change table reflecting the original proposed amendments is included at **Appendix 2**.

4. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer 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 are 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.