

Changes Required to the Constitution

The additional wording required in the Constitution to give effect to the recommendations of the Working Group is set out in bold below -

Recommendation 2:

Executive Procedure Rules

1.8 How are decisions taken by the Executive?

(d) For the classes of decision set out in appendix 3, where there is agreement between a portfolio holder and the relevant PDS Committee, proposed decisions will be published five clear working days before the decision is to be taken, but it will not be necessary for pre-decision scrutiny to be carried out at a meeting. Any member may request that a matter be referred to the relevant PDS Committee meeting before a decision is taken.

Appendix 1 – see amended version below

Add Appendix 3 -

2. **Where PDS Committees and Portfolio Holders are in agreement, Portfolio Holders may make decisions without formal pre-decision scrutiny in the following categories and circumstances -**
- **Appointments made by the Portfolio Holder where there is only one nominee;**
 - **Local schemes costing less than £35k which affect only one Ward, e.g.: minor highways schemes, where all Ward Councillors are in support of the proposal;**
 - **Contract extensions where there are no performance issues with the contractor and the contract includes a provision to extend;**
 - **Contract awards where there has been a gateway review and the award is proposed to be made to the most economically advantageous tenderer;**
 - **Contract waivers where the Portfolio Holder is required to agree single tender action;**
 - **Matters considered by the Executive where further action can appropriately be delegated to a Portfolio Holder;**
 - **Any other matter that the Portfolio Holder can decide under the Scheme of Delegation where there has been no objection from any Member of the relevant PDS Committee.**

All these categories of decision will be subject to the Portfolio Holder circulating his proposed decision to all Members in advance by email as a “minded to” decision; any Member may request that a matter be referred to the relevant PDS Committee before a decision is taken.

Recommendation 4:

Council Procedure Rules

2. ORDINARY MEETINGS

Ordinary meetings of the Council will take place in accordance with a programme and normally commence at 7.00pm. Ordinary meetings will –

(xii) debate any matter on which the Executive is to make a decision where a request has been received from the leader, 9 members of one political group or 5 members across two political groups.

Executive Procedure Rules

2.2 What business?

Where a debate at full Council has been requested under rule 2 (xii) of the Council Procedure Rules on an executive matter, the Executive may not make a decision until that debate has taken place unless the Council would be in breach of a legal obligation by delaying the decision.

Recommendation 6:

2. ORDINARY MEETINGS

Ordinary meetings of the Council will take place in accordance with a programme and normally commence at 7.00pm. Ordinary meetings will –

(xiii) determine major planning applications as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2010, on the request of Development Control Committee or of twenty members of the Council.

Recommendation 8:

Council Procedure Rules

9.7 Supplementary Questions – Add

After a reply to a supplementary question has been given, the Mayor may having regard to the time available and other matters on the agenda allow further supplementary questions to be asked by Members.

10.6 Supplementary Questions – Add

After a reply to a supplementary question has been given, the Mayor may having regard to the time available and other matters on the agenda allow further supplementary questions to be asked by other Members.

Recommendation 9:

Constitution Appendix 2: Standing Orders

6. Audio or Visual Recording

The Chairman may permit recording of a meeting by mobile phone or other devices. Anyone wishing to record a meeting must agree not to use any material to the detriment of the Council or any particular member or officer and sign an undertaking to this effect. The Chairman may at his or her absolute discretion order the recording to be stopped at any point whether or not it is causing disruption.