CONSTITUTION INFORMAL WORKING GROUP

TABLE OF PROPOSED SUBSTANTIVE AMENDMENTS TO CONSTITUTION:

No.	Summary	Section of constitution	Proposed change	Why?
1	Policy Framework	Part 2 Articles – 4.01 Functions of the Council – Definitions	Replace the current definition of Policy Framework with the following: *(i)* ***Policy framework****: The Policy Framework comprises of the following policies, plans and strategies:-* • *Corporate Strategy* • *Constitution* • *Capital Strategy* • *Capital Programme* • *Treasury Management Strategy* • *Medium Term Financial Strategy* • *Risk Management Policy* • *Local Plan, Neighbourhood Plans and other Development Plan Documents* • *Asset Management Strategy;* • *Health and Safety Policies* • *Fees and Charges Policy;* • *Licensing Policies*	This limits the Policy Framework to those policies connected to non-executive functions, meaning the remainder of Council policies become an executive function, subject to the Scheme of Delegation. This is the practice adopted by most other Councils, including local Councils.

No.	Summary	Section of constitution	Proposed change	Why?
		Part 3 Remits and Terms of Reference of Council Bodies – Part B Cabinet	• *Gambling Policy* • *Pay Policy* Amend B.11 as follows: Adopt corporate and service policies and make recommendations to Council on its Policy Framework	
2	Discretion of Cabinet to make recommendations on Full Council function decisions	Part 3 Remits and Terms of Reference of Council Bodies – Part B Cabinet	Remove current wording: *B.7 Be the source of timely reports to the Council to enable it to take decisions on matters reserved to the Council to decide and which form Part 1 of the list in Appendix F* And replace with:	

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			Make recommendations to the Council on matters reserved to the Council set out in Part 1 of Part G below, where Cabinet elects to do so.	
3	Remove ICT Development Group Reference from Financial Regulations	Financial Regulations	Remove Regulation 11 in its entirety and replace with ***NOT USED*** so as not to disrupt remaining numbering	This conflicts with the Scheme of Delegation on decision making; the ICT Development Group is not constituted to take operational decisions
4	Enabling Full Council to remove a Councillor from a Council Body or remove the position of Chair/Vice Chair in response to a Standards Committee	Standing Order 29	Add in a new Standing Order 29.2B: *Full Council may resolve at any time to:* *i) remove any Member (including the Chair) from a Council Body* *ii) remove and (where relevant) replace a Chair/Vice Chair of a Council Body*	To provide the Standards regime with more impact and force.

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	recommendation following a hearing		*pursuant to a recommendation from the Standards Committee or its sub-committee, following a finding of breach of the Member Code of Conduct.*	
5	Inclusion of Outside Bodies into the Articles	Part 2 - Articles	See Appendix 1	To provide greater explanation and transparency to the public and new Members on the Council's presence on Outside Bodies
6	Inclusion of wholly owned Council Companies and the Shareholder function into the Articles	Part 2 Articles	See Appendix 2	The Council has had wholly owned companies since 2016 but this function has never formally been recognised in the Constitution before, save for reference in the Scheme of Delegation.

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7	Crime and disorder scrutiny function	Part 2 Articles and Part 3 Terms of Reference for the Policy Review & Development Panels	Add in a new 6.07 (j) to Part 2 Articles and reflect in Part H of Part 3: (*j) To discharge crime and disorder scrutiny functions to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions under Section 19 of the Police and Justice Act 2006 and associated regulations, including reviewing Community Safety Partnership strategies, holding at least one dedicated meeting per year, and noting the role of the Norfolk Police and Crime Panel in overseeing the Police and Crime Commissioner for Norfolk, and to liaise as appropriate.* Amend Article 6.01 (d) as shown: *(d) Other non-executive members (i.e. those not sitting on a Policy Review and Development*	To explicitly set out statutory compliance with the Police and Justice Act 2006

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			Panel) may put any matter for discussion forward for inclusion on a relevant Scrutiny and *Overview agenda. In such instances, inclusion of the matter is at the discretion of the relevant Scrutiny and Overview body's Chair and Vice-Chair, in consultation with the relevant officers, save where the matter relates to crime and disorder under section 19 of the Police and Justice Act 2006 in which case it will be included onto the next agenda. The decision, on whether to approve inclusion or not, then being reported under Chair's Correspondence at the body's next meeting. The following factors would be influential in arriving at such a decision:* *i.) the appropriateness of the item to the relevant Panel's/ Committee's remit;* *ii.) any similar items that may already be on work programmes/ schedules;* *iii.) existing workloads and priorities (these would not preclude the item from*	

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			consideration but may affect the scheduling of such consideration.	
8	Independent Person for Standards Committee	Part 3 Remits and Terms of Reference of Council Bodies – Part A Appointments Board/Investigating and Disciplinary Committee Standing Order 29.1	Make the following amendments: *A.8 Within the procedures established by the Council, the Appointments Board shall appoint persons to the Councillors' Independent Allowances Panel and shall select the nominations to the non-councillor places on the Standards Committee (subject to the involvement of the Chair/Vice Chair) for recommendation to Full Council for appointment.* Standards Committee 7 Members (Politically Proportional) (plus up to 2 non-voting Parish representatives and one Independent Person selected from a pool of up to 3 co-optees)	To regularise with statutory requirements and to make explicit provisions for the selection of Independent Persons, in respect of which we ought to be appointing at least two to secure compliance with procedures under the Appointments Board/Investigating and Disciplinary Committee. A review of expenses for this role has been

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		Member Allowances Scheme Part 3 Scheme of Delegation Section 15 – Standards Committee	Amend the Special Responsibility Allowance for a Standards Committee co-optee from £273 to: *£30.00 per hour (capped at a total of 70 hours)* Add to Officer Delegations to the Monitoring Officer: *Determine and undertake arrangements for the purposes of enabling the selection of co-opted Independent Persons for Standards Committee by the Appointments Board/Investigating and Disciplinary Committee* Consultation *In consultation with the Chair of Standards Committee*	undertaken to increase the likelihood of recruitment and retention into the posts which shall be going out to advert shortly, and bring in line with other Norfolk authorities' approach.
9	Independent Person – Audit Committee –	Part 3 Remits and Terms of Reference of Council Bodies – Part F Audit Committee	Appendix 3	To clarify the delegations in relation to appointment.

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	appointment process	Standing Order 29.1 Member Allowances Scheme Part 3 Scheme of Delegation		A review of expenses for this role has been undertaken to increase the likelihood of recruitment and retention into the posts which shall be going out to advert shortly, and bring in line with other Norfolk authorities' approach.
10	Electoral Arrangements Committee	Part 2 – Articles Part 3 – Remits and Terms of Reference Part 4 – Standing Orders	See Appendix 4	Establishes a new non-executive committee to oversee electoral reviews, polling arrangement and Community

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				Governance Reviews. This ensures statutory compliance and provides a clear governance route for electoral matters that maintains a clear separation of roles between the executive and non-executive.