

REPORT TO COUNCIL

Date of Meeting: 14th October 2025

Report of: Monitoring Officer

Title: Implementation of Constitutional Changes and Appointment of Committees

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 This report sets out the background to recent changes made to the Council's Constitution following consideration by the Audit and Governance Committee on 17th July 2025 and approved by full Council on 2nd September 2025.

1.2 It confirms that some of those changes relating to the introduction of the revised Articles 1-5 and 14, reduced committee numbers and substitutes will be implemented on Monday, 13th October 2025. It also seeks Council approval to appoint the Chairs, Vice Chairs and members of the Council's committees as detailed in Appendix A. A full list of nominations with the named substitutes will be tabled at full Council.

2. Recommendations:

That Council:

1. Notes that the changes to the Constitution relating to the reduced committee sizes, introduction of substitutes and changes to the Articles (1-5 and 14), as recommended by the Audit and Governance Committee on 17th July 2025 and approved by full Council on 2nd September 2025, were implemented on 13th October 2025.

2. Approves the appointment of Chairs, Vice Chairs, members including the named substitutes to each committee and co-opted members (if any), to the Council's committee and panels, forums and joint bodies for the remainder of the municipal year as set out in the full nominations list (tabled at the meeting) .

3. Reasons for the recommendation:

3.1 The reduction in committee sizes from 14 to 11 members and the introduction of substitutes requires the formal reconstitution of each committee to reflect the new arrangements.

3.2 Substitutes will be unable to sit on committees until they have undergone relevant training. It is also necessary for Council to appoint the Chairs, Vice Chairs and members of the committees to ensure that they are properly established, quorate and able to discharge their functions lawfully and effectively.

4. What are the resource implications including non-financial resources

4.1 There are no additional financial or resource implications arising directly from these recommendations.

5. Section 151 Officer comments:

5.1 There are no financial implications for Council to consider.

6. What are the legal aspects?

6.1 The Local Government Act 1972 requires the Council to maintain and operate a Constitution which sets out how decisions are taken and by whom. In particular:

- Section 101 provides that local authorities may arrange for the discharge of their functions by committees, sub-committees or officers, but the establishment of those committees rests with full Council.
- Section 102 provides that a local authority may appoint committees and determine their size and terms of reference.

6.2 To implement the recent constitutional amendments that reduced committee sizes from 14 to 11 members, it is necessary to require formal reconstitution and appointment to ensure the committees can operate lawfully and effectively.

7. Monitoring Officer's comments:

7.1 The proposed constitutional amendments were first considered by the Audit and Governance Committee at its meeting on 17th July 2025, where members approved and recommended a number of changes to Council. These were subsequently endorsed by full Council on 2nd September 2025 and delegated authority was granted to the Monitoring Officer, in consultation with the Lord Mayor, to determine the timing and implementation of the agreed provisions. Following that delegation, it has been decided that certain elements - specifically the updated Articles 1–5 and 14, the reduction in the size of certain committees from 14 to 11 members, and the formalisation of substitute arrangements - will be brought into effect on 13th October 2025, immediately prior to the next full Council meeting. This approach ensures there is no interruption in committee operations and enables the newly constituted committees to take effect seamlessly from 14th October 2025.

7.2 The decision to defer implementation of the revised Council Procedure Rules allows the Council to align all forthcoming procedural updates affecting meetings, both for full Council and other committees, to take effect simultaneously at a later stage. This phased approach ensures a coherent transition and supports the Council's aim of having a streamlined, accessible Constitution that reflects current best practice.

8. Equality Act 2010 (The Act)

8.1 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Equality Act 2010 because the recommendations relate to governance arrangements and committee appointments only.

9. Carbon Footprint (Environmental) Implications:

9.1 No direct carbon or environmental impacts arise from these recommendations.

10. Report details:

10.1 At its meeting on 17th July 2025 (see minutes [here](#)), the Audit and Governance Committee approved and recommended to Council a number of constitutional changes to modernise and streamline the Council's governance framework and to ensure the Constitution remains aligned with best practice and accessible for users. These included:

- Adoption of revised [Council Procedure Rules](#);
- Removal of [redundant Standing Orders](#);
- Updating of [Articles 1–5 and 14 of the Constitution](#);
- Reduction in the Council's Planning, Licensing, Audit and Governance, Customer Focus Scrutiny and Strategic Scrutiny Committee sizes from 14 members to 11 members; and
- Formalisation of arrangements for substitutes.

10.2 These changes were approved at full Council on Tuesday, 2nd September 2025 and delegated authority was granted to the Monitoring Officer in consultation with the Lord Mayor to bring these changes into effect.

10.3 The Lord Mayor and the Monitoring Officer subsequently decided to bring in some, but not all of provisions with effect from Monday, 13th October 2025. The date of 13th October 2025 was specifically selected as it is the day before full Council meeting. The new leaner committees of eleven can be formally constituted on the day after the changes have come into effect. This will ensure that there is no gap between the changes coming into effect and the formal constitution of the new committees.

10.4 The provisions to be brought into effect are as follows:

- Updating of [Articles 1–5 and 14 of the Constitution](#);
- Reduction in the Council's Planning, Licensing, Audit and Governance, Customer Focus Scrutiny and Strategic Scrutiny Committee sizes from 14 members to 11 members; and
- Formalisation of arrangements for substitutes (by adjusting the existing Standing Orders).

10.5 It is not proposed that the newly drafted [Council Procedure Rules](#) will be brought into effect at this stage. As a result of the decision to not yet bring in the new Council Procedure Rules, there is no need to remove any of the Standing Orders the new Council Procedure Rules were meant to replace.

10.6 As a result of the decision not to bring in the new [Council Procedure Rules](#), the proposed amendments contained therein such as:

- the adjustments to members' questions during full Council meetings,
- the closure procedure for lengthy full Council meetings; and
- the longer lead-in time for the submission to democratic services of members' motions

will not be introduced now. This will be done at a later date to allow for all amendments relating to how all Council meetings are run (both already approved relating to Council and those currently being drawn up relating to other Council meetings) to take effect simultaneously. This approach should minimise confusion and provide members and officers with clear, streamlined procedures for the operation of meetings.

10.7 In line with standard practice, Council is now asked to note the implementation of these constitutional amendments and to make the appointments of Chairs, Vice Chairs and members of committees including the named substitutes for the remainder of the municipal year.

10.8 Appendix A details the list of nominations made by political groups for the various Council committees. A full list showing both the nominations made by the political groups and their named substitutes will be tabled at the meeting.

10.9 If further changes are required during the remainder of the municipal year to the membership of committees, the Monitoring Officer has a standing delegated power to *“implement minor variations of numbers and appointments of Members of Committees/ Sub-Committees, in order to comply with the proportionality requirements of the Local Government and Housing Act 1989”* in consultation with the leaders of the political groups.

11. How does the decision contribute to the Council’s Corporate Plan?

11.1 The proposed constitutional changes directly support the delivery of the Council’s Corporate Plan 2025–2028, particularly the priority of maintaining a well-run Council. By modernising decision-making procedures, the changes will contribute to a more open, transparent and accountable local authority. The changes also reflect a commitment to good governance which is a key element outlined in the Corporate Plan.

12. What risks are there and how can they be reduced?

12.1 Failure to confirm and implement the changes to the Constitution or to make committee appointments could result in weak governance and a legal risk of challenge made by those committees. This is mitigated by Council approving the recommendations in this report.

13. Are there any other options?

13.1 No alternatives are proposed; Council is required to make these decisions.

Strategic Director for Corporate Resources

Author: Simon Curran, Planning Lawyer

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

[Audit and Governance Committee, 17th July 2025 – Constitutional Changes](#)

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275