

Audit and Governance Committee



Date of meeting:	23 July 2024
Title of Report:	Stage Three – Constitutional Changes
Lead Member:	Sarah Allen (Chair of Audit and Governance Committee)
Lead Strategic Director:	Liz Bryant, Monitoring Officer, Head of Legal Services
Author:	Ross Jago, Head of Governance Performance and Risk
Contact Email:	Ross.jago@plymouth.gov.uk
Your Reference:	Const3.24/25
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

- 1.1. Under provisions contained within the Local Government Act 2000 (as amended) the Council is required to prepare and maintain a constitution.
- 1.2. The Constitution must contain:
 - The standing orders and rules of procedure of the Council;
 - The Members' Code of Conduct;
 - Such other information as the Secretary of State may direct;
 - Other information (if any) as the Council considers appropriate.
- 1.3. Over the last twelve months members of the Audit and Governance Committee joined with other councillors in a working group to review gaps in procedure and conflicting provisions within the Constitution which had been identified during the course of the 2022/23 municipal year.

2. Stage Three recommendations

- 2.1. Proposed changes are as follows:

Rules of debate

- 2.2. Set an expectation (but not a rule) that amendments to modify motions will be received one working day in advance, members may still move amendments on the day but will require an adjournment.
- 2.3. A section on closure motions, which does not substantively change the Rules of Debate but outlines the process for using them more clearly.

Council Procedure Rules -Part B

- 2.4. A new deadline for motions on notice. This will be seven clear working days in advance of the meeting which will allow officers adequate time to review the motions/check legality etc - before the Monitoring Officer, in consultation with the Lord Mayor, approves motions for inclusion in the agenda.
- 2.5. A time limit for motions of two hours. Any motions not discussed in that session will need to be resubmitted for a future council meeting. When the two-hour limit is reached a proposer of a motion may sum up before council moves to the vote.

Recommendations and Reasons

That Audit and Governance Committee

- l) Recommends to full council for approval –
- a) Amended Part B, council procedure rules as set out in the appendices.
 - b) New Rules of Debate as set out in the appendices.

Reason: Changes to the constitution are recommended by Audit and Governance Committee to Full Council to address immediate changes to improve the efficiency of Council meetings and the clarity of procedure.

Alternative options considered and rejected

None – the review of the constitution is a response to issues identified through the municipal year/ 2022/23

Relevance to the Corporate Plan and/or the Plymouth Plan

Effective decision and good governance impacts upon all aspects of the Corporate Plan. Proposed changes to the constitution will ensure efficient governance processes in support of the Corporate Plan.

Implications for the Medium Term Financial Plan and Resource Implications:

None as a result of this report.

Financial Risks

None as a result of this report.

Carbon Footprint (Environmental) Implications:

None as a result of this report.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

N/A

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Revised Part B							
B	Revised Rules of Debate							

Background papers:

**Add rows as required to box below*

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

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Originating Senior Leadership Team member: Liz Bryant, Monitoring Officer and Head of Legal Services

Please confirm the Strategic Director(s) has agreed the report? Yes

Date agreed: 12/07/2024