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| <b>Subject:</b>                       | Constitution Review  |  | <b>Status:</b>                             | For Publication   |    |
| <b>Report to:</b>                     | Governance Working Group<br>Council  |  | <b>Date:</b>                               | 9 <sup>th</sup> March 2017<br>22 <sup>nd</sup> March 2017 |    |
| <b>Report of:</b>                     | Monitoring Officer   |  | <b>Portfolio Holder:</b>                   | Legal and Democratic<br>Services                          |    |
| <b>Key Decision:</b>                  | No - reserved for Council  | Forward Plan <input checked="" type="checkbox"/> | General Exception <input type="checkbox"/> | Special Urgency <input type="checkbox"/>                  |    |
| <b>Equality Impact Assessment:</b>    |  | Required:  | No   | Attached:   | No |
| <b>Biodiversity Impact Assessment</b> |  | Required:  | No   | Attached:   | No |
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|-----------|---|
| <b>1.</b> | <b>RECOMMENDATIONS</b>  |
| 1.1       | <p>That Council amend the Constitution as follows:</p> <p><b>11.1 Notice</b></p> <p>Except for motions which can be moved without notice under rule 12, written notices of motion can be submitted to the Chief Executive for inclusion on the Council agenda as follows:</p> <ul style="list-style-type: none"> <li>Notification of a Notice of Motion must be received <b>at least 8</b> clear working days prior to the meeting.</li> <li>The Notice of Motion must be confirmed by at least 2 members in writing (email confirmation will suffice) and be with the Chief Executive at least 5 clear working days prior to the meeting if it is to be included on the Council agenda.</li> </ul> |

**2. PURPOSE OF REPORT**

2.1 To consider changes to the Constitution as detailed in Appendix A in relation to Notices of Motion.

**3. CORPORATE PRIORITIES**

3.1 The matters discussed in this report impact directly on the following of the Council's corporate priorities:

- Responsive Value for Money Services: This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.

**4. RISK ASSESSMENT IMPLICATIONS**

4.1 All the issues raised and the recommendation in this report involve risk considerations as set out below:

- Failure to maintain and follow an up-to-date Constitution risks legal proceedings being taken against the Council, and risks members of the community being dissatisfied with the action of the Council.

**5. BACKGROUND AND OPTIONS**

5.1 The Governance Working Group reviewed the rules for notices of motion at the request of one of the members.

- 5.2 At present notices of motion must be submitted at least 11 clear working days in advance of the meeting, followed up with a hard copy signed by the 2 proposing members at least 5 clear working days in advance of the meeting.
- 5.3 It was suggested that the 11 working day deadline for submission was too far in advance and that there was no need for a signed copy as an email from the 2 proposers within the required deadline would suffice.
- 5.3 Following review, the Governance Working Group recommended amending the deadline and wording as detailed at Appendix A and at recommendation 1.1 of the report.

**COMMENTS FROM STATUTORY OFFICERS:**

**6. SECTION 151 OFFICER**

- 6.1 There are no material financial implications arising from the report.

**7. MONITORING OFFICER**

- 7.1 All legal implications are commented upon in the body of the report.

**8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

- 8.1 Consultation with Statutory Officers, Legal Officers, Committee and Member Services and the Governance Working Group.

**9. CONCLUSION**

- 9.1 The Council is required by law to implement a Constitution and it is in the interests of the Council to regularly review and update the document.

**Background Papers**

| Document                        | Place of Inspection  |
|---------------------------------|--|
| The Constitution of the Council | <a href="http://www.rossendale.gov.uk/constitution">www.rossendale.gov.uk/constitution</a> |