



Report to: Meeting of the Full Council - 11 February 2025

Committee Chair: Councillor Peter Harris, Audit & Governance Committee

Director Lead: Sue Bearman, Assistant Director - Legal & Democratic Services and Monitoring Officer

Lead Officer: Sue Bearman, Assistant Director - Legal & Democratic Services and Monitoring Officer, Ext. 5935

Report Summary	
Report Title	Revision to the Council's Constitution
Purpose of Report	To propose amendment to the Council's Constitution in respect of annual budget meetings.
Recommendation	That Full Council adopts the amendments to the Constitution proposed in the report and shown as tracked changes in Appendices 1 and 2 .
Reason for Recommendation	To ensure the Constitution is up to date and fit for purpose.

1.0 Background

- 1.1 The Full Council adopted a revised version of the Constitution in May 2022 when the Council moved to Executive Arrangements (the Cabinet System). Since that date, some minor amendments and updates have been made.
- 1.2 Audit & Governance Committee is responsible for overview of the Constitution, and the Work Programme includes an annual review. In April 2024 the Committee agreed for an in-depth review of certain aspects of the Constitution to be undertaken at informal workshops with the findings to be reported back to Committee. On 11 December 2024 the Committee received a progress report and considered the first recommendation of the informal workshop.

2.0 Proposal

- 2.1 Audit & Governance Committee noted that the Full Council Procedure Rules for the Council's General Fund Budget and Precept or Housing Revenue Account Budget and Rent Setting would benefit from greater clarity, in relation to motions for amendment. The rules are silent on whether motions for amendment are to be circulated for all Members of Full Council prior to the meeting, other than to say that the Chair has discretion on how to deal with such motions. Members are referred to some minor proposed amendments which are shown as tracked changes in **Appendix 1** to this report.

2.2 Audit & Governance Committee recommend that the Budget and Policy Framework Procedure Rules would also benefit from clarification, primarily because it is not currently explained that the procedure set out in paragraphs 12 to 16 is a statutory provision that is only applicable if the Annual Budget meeting is held before 8 February in any year. Members are referred to some minor proposed amendments which are shown as tracked changes in **Appendix 2** to this report.

3.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

3.1 Legal Implications (LEG2425/6610)

Full Council is the appropriate body to consider the content of this report. Adoption and alteration of the Constitution is a function reserved to Full Council. The statutory provision referenced at paragraph 2.2 of the report is included in **Appendix 2**.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

The Council's Constitution is published on its website - <https://www.newark-sherwooddc.gov.uk/constitution/>

Audit & Governance Committee Report 11 December 2024 - <https://democracy.newark-sherwooddc.gov.uk/documents/s21432/Item%2016%2011.12.24%20Review%20of%20the%20Constitution.pdf>