

Norfolk County Council

Date: Monday 23 November 2020

Time: 10.00 a.m

Venue: Teams Meeting – [Click here to view the meeting.](#)

Supplementary Agenda 2

6a Proposed Amendments to the Council Constitution

Page C2

Report by the Monitoring Officer

This report should have been a separate item on the agenda as it is a separate report. Except for the item number which has been corrected, the report below is unchanged from that shown on pages 142-144 of the main agenda

Tom McCabe
Head of Paid Service
County Hall
Martineau Lane
Norwich
NR1 2DH

Date Supplementary Agenda Published: 20 November 2020

**For further details and general enquiries about this Agenda
please contact committees@norfolk.gov.uk**

County Council

Item no. 6a

| | |
|--|--|
| Decision making report title: | Proposed Amendments to the Council Constitution |
| Date of meeting: | 23 November 2020 |
| Responsible Cabinet Member: | Cllr Andrew Proctor, Leader of the Council and Cabinet Member for Strategy & Governance |
| Responsible Director: | Fiona McDiarmid, Executive Director Strategy & Governance |
| <p>Executive Summary</p> <p>This report sets out further proposed changes to the Constitution, in addition to those recommended by Corporate Select Committee. This matter was considered at the Corporate Select Committee on 9 November 2020 and they agreed to ask the Monitoring Officer to reconsider the proposal set out at Appendix 15 para 3.4.5 and propose alternative wording to Full Council.</p> <p>Recommendations</p> <p>1. To agree to amend the Constitution at Appendix 15 para 3.4.5 as set out in para 2.1 below</p> | |

1. Background and Purpose

- 1.1. The Constitution is in the process of review, as set out in the report from Corporate Select Committee. Corporate Select Committee considered a series of amendments recommended by the Monitoring Officer at its meeting on 9 November 2020.

The Committee could not agree the proposed amendment to Para 3.4.5 of Appendix 15, but could not agree alternative wording, and asked the Monitoring Officer and s151 officer to consider alternative wording for consideration by Council.

2. Proposals

- 2.1. It is proposed para 3.4.5 of Appendix 15 should be amended as below to remove the wording highlighted in yellow (which had been proposed as an

amendment to the existing Constitution) and to replace it with the wording in red

The Executive Director of Finance and Commercial Services is responsible for ensuring that proposals demonstrate adherence to the guidance and Members should ensure that any proposed budget amendments are made available to the Executive Director of Finance and Commercial Services at least five working days before the County Council budget meeting. **Members should adhere to any agreed protocol for budget amendments.** A single, balanced (funded) amendment may be put forward per group or independent Member. Proposed amendments may relate to multiple elements within the budget, but the amendment must be coherent as a complete package. This means proposed amendments should not (1) contain elements which relate to substantively similar matters or (2) propose elements which would be mutually incompatible within a single amendment (i.e. the proposed amendment cannot address the same topic multiple times). Separate elements of the budget amendment may be voted upon separately. Members' proposed budget amendments must be finalised two working days before the County Council budget meeting in order that the Executive Director of Finance and Commercial Services can report on the robustness of any proposed budget amendments. In accordance with established culture and practice, proposed budget amendments received in accordance with Financial Regulations will be published in advance of the County Council meeting at which they are to be discussed.

- 2.1.2 The protocol referred to in that amendment is being discussed with group leaders and will sit outside the Constitution.

3. Impact of the Proposal

- 3.1. The proposal will allow the Council to maintain an up to date Constitution that enables the Council to meet its objectives.

4 Financial Implications

None

5 Resource Implications

None

- 6 **Legal Implications:** As set out in the report

- 7 **Human Rights implications:** N/A

8. **Equality Impact Assessment (EqIA):**

9 Risk Implications/Assessment

none

10 Recommendations

To agree to amend the Constitution at Appendix 15 para 3.4.5 as set out in para 2.1 below

11 Background Papers

11.1 None other than reports to Corporate Select Committee referred to in the report.

Officer Contact

If you have any questions about matters contained in this paper, please get in touch with:

Officer name : Helen Edwards **Tel No. :** 01603 493627
Email address: Helen.edwards2@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.