

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Changes to the Constitution – Council Procedure Rules and Substitutes Policy

Meeting/Date: Corporate Governance Committee – 26th November 2025
Council – 17th December 2025

Executive Portfolio: Councillor J Harvey, Executive Councillor for Governance and Democratic Services

Report by: Elections and Democratic Services Manager

Ward(s) affected: All

Executive Summary:

The Council has appointed a Working Group to review the Constitution. The Constitution Review Working Group comprises Councillors M Burke, J Gray, J Harvey (Chair), P Hodgson-Jones, R Martin, D Mickelburgh, T Sanderson and S Wakeford. The Working Group has met on seven occasions and can now report on two aspects of the Constitution. These are the Council Procedure Rules and a Substitutes Policy. They are submitted for endorsement and for submission to the Council for approval.

Recommendations:

The Committee is

RECOMMENDED

- (a) to endorse the revised Council Procedure Rules as set out in Appendix 1 to the report now submitted;
- (b) to recommend to Council the approval of the replacement of the Council Procedure Rules in the Council's Constitution;
- (c) to endorse new the Substitutes Policy as set out in Appendix 3 to the report now submitted; and
- (d) to recommend to Council the approval of the Substitutes Policy for insertion into the Council's Constitution.

The Council is

RECOMMENDED

to approve the revised Council Procedure Rules and the Substitutes Policy for insertion into the Council's Constitution.

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to amend the Council's Constitution to update the Council Procedure Rules and to establish a mechanism for any Councillor to act as a substitute on a Council body.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The last full review of the Constitution took place in 2015. In line with recommendations arising from the Peer Review, the Council has appointed a Working Group to review the Constitution. The Constitution Review Working Group comprises Councillors M Burke, J Gray, J Harvey (Chair), P Hodgson-Jones, R Martin, D Mickelburgh, T Sanderson and S Wakeford.

- 2.2 Assisted by legally qualified representatives of the Association of Democratic Services Officers (ADSO), the following objectives were established:

- To include an index and definitions, together with a glossary explaining technical terms;
- Update the document in respect of his/her references;
- Address various detailed aspects identified by the ADSO representatives;
- Changes required on questions without notice with a supplementary question and questions on notice;
- Amend the scope of Notices of Motion;
- Clarify the definition and deadline for receipt of urgent questions;
- To include provision relating to amendments proposed to the budget;
- Introduction of a mechanism for councillors to act as substitutes on Council bodies;
- To update the Officer Scheme of Delegation.

- 2.3 The Working Group has met on seven occasions and can now report on two aspects of the Constitution. These are the Council Procedure Rules and a Substitutes Policy. They are submitted for endorsement and for submission to the Council for approval.

3. ANALYSIS

- 3.1 The main change to the Council Procedure Rules is to extend the scope of questions to include any matter which affects the residents of the District. This is consistent with the rules for the presentation of Motions. The Chair has discretion to manage responses if necessary. The general approach has been to regularise what already takes place at Council

meetings. For this purpose, an extensive review has taken place of the order and cross-referencing of the Procedure Rules.

- 3.2 Regarding the Substitutes Policy, the Working Group is of the view that it is required to ensure there is significant and comprehensive attendance by Members at all Committee and Sub-Committee meetings and to ensure meetings are quorate.

4. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 4.1 Subject to Full Council approving the proposed changes to the Constitution, the text contained in the Appendices will be incorporated into the Constitution. The new Council Procedure Rules and the Substitutes Policy will be effective immediately after approval by Council.

5. LEGAL IMPLICATIONS

- 5.1 It is essential for councils regularly to review and update their constitution to ensure they remain compliant with the law and or changes to Council policy and procedure. As set out above, the review has had the benefit of legally qualified experts in local government procedures advising Members.
- 5.2 The Council's Constitution provides the framework from which it conducts business. It describes who is responsible for making decisions and how decisions are made.

6. REASONS FOR THE RECOMMENDED DECISIONS

- 6.1 It is generally accepted that council constitutions should be regularly reviewed. The Council has commenced a review of its Constitution and the outcome of the first phase of this work has been completed. The recommended changes will ensure that the Constitution reflects changes in the law and provides a strong framework of rules through which the Council acts.

7. LIST OF APPENDICES INCLUDED

Appendix 1 – Council Procedure Rules
Appendix 2 – Council Procedure Rules (Tracked Changes)
Appendix 2 – Substitutes Policy

8. BACKGROUND PAPERS

HDC Constitution

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