Corporate Governance Committee – 18th November 2026
Council – 16th December 2026

Report by: Interim Monitoring Officer

Lead Cllr: Liam Dewey-Beckett, Executive Councillor for Governance & Democratic Services

Wards	Open / Exempt	Key Decision?
All	Open	No

Amendments to the Constitution – Council Procedure Rules, Call-In and Planning Procedure

Executive Summary: Effective governance of a local authority requires the regular review and update of its Constitution, its Articles and Schemes to ensure it remains accurate and relevant.

The Interim Monitoring Officer has undertaken an initial review of the Constitution since his appointment and has identified some suggested amendments that are intended to clarify issues where possible and streamline the operation of the Council's meetings, especially Council.

This report is presented to the Corporate Governance Committee for review and then proceeds following any required amendments to Council in December 2026.

Recommendations

1.1. To endorse the amendments to the Constitution as set out in Appendix 1 to the report now submitted;
1.2. To consider whether to endorse the inclusion of any additional amendments as set out in Appendix 2; and
1.3. To recommend to Council the approval of the amendments to the Constitution as set out in Appendix 1 to the report now submitted, together with any additional amendments from Appendix 2 endorsed by the Committee.

	Key Corporate Plan Priorities
1	*Do our core work well*

Report Author

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1. PURPOSE OF THE REPORT

1.1 Effective governance of a local authority requires the regular review and update of its Constitution, its Articles and Schemes to ensure it remains accurate and relevant.

1.2 The Interim Monitoring Officer has undertaken an initial review of the Constitution since his appointment and has brought forward best practice and suggested improvements.

1.3 Some initial suggested amendments have been identified that are intended to clarify issues where possible and streamline the operation of the Council's meetings, especially Council. There are further suggested amendments that will be brought forward for review at future meetings.

1.4 This report is presented to the Corporate Governance Committee for review and then proceeds following any required amendments to Council in December 2026.

2. BACKGROUND & CONTEXT

2.1 The Council has operated a Constitution Review Working Group for many years which serves an important function in enabling healthy governance and effective decision-making processes to support elected members. The Working Group has met on 5th November 2026 to consider proposed amendments to the Council Procedure Rules, Call-In and Decision Making at the Development Management Committee. The proposed amendments are set out in Appendix 1 and the rationale outlined in more detail in the following paragraphs.

2.2 Some of the proposed amendments did not receive consensus from the Group. Where this occurred, the report identifies these and provides justification for the amendments for the Corporate Governance Committee to consider before recommending to Council for final approval as set out in Appendix 2.

Council Procedure Rules

2.3 The suggested amendments to the Council Procedure Rules are based on the premise that the role of the Chair of any Council meeting is to ensure the business of that meeting is conducted in an efficient and effective manner while ensuring that proper debate and consideration of the agenda items are undertaken before a vote is called.

2.4 The amendments have also been proposed in response to the increasing number of motions submitted to Council, to ensure that these can be dealt with effectively while allowing the Council to conclude its wider business and enabling officers to obtain the decisions they require.

Call-In Procedure

2.5 It is proposed to include a new Rule 15.2 of the Call-in Procedure to clarify that a valid call-in request must set out sufficient grounds for the call-in and identify the outcome being sought, with the Monitoring Officer authorised to refuse a request where these requirements are not met. The amendment is intended to provide

greater clarity and focus to the call-in process, ensuring that Members identify the particular issues they wish the decision-maker to reconsider. This reflects guidance from the Centre for Governance and Scrutiny, which emphasises the importance of clear criteria for determining the validity of call-ins and recognises call-in as a mechanism intended for exceptional circumstances.

Planning Procedure

2.6 It is proposed to amend the Committee Procedure Rules to clarify the point at which a Development Management Committee decision becomes final where Members resolve to approve or refuse an application contrary to the officer recommendation. The amendment makes clear that, where appropriate, the Chair may reopen the matter before the decision is finalised to enable Members to consider and agree adequate planning reasons supporting their decision. This is intended to ensure that decisions are properly reasoned, capable of being defended if challenged, and that the Committee is able to reconsider its position where satisfactory planning reasons cannot be established.

3. ALTERNATIVE OPTIONS CONSIDERED & NOT RECOMMENDED

3.1 The Working Group also considered a number of proposed amendments which, following discussion, were either declined or withdrawn and are therefore not being put forward for consideration by the Corporate Governance Committee. These comprised a proposed 30-minute limit on the debate of individual Member motions, together with the associated procedure for extending the debate by a further 20 minutes, and the requirement for amendments to motions to be submitted two working days before a meeting. Members considered that the debate limit could be unduly restrictive and that requiring amendments in advance could prevent legitimate amendments arising during the course of debate and reduce the Council's decision-making flexibility.

4. COMMENTS OF OVERVIEW & SCRUTINY

4.1 N/A

5. POST-DECISION IMPLEMENTATION

5.1 Subject to Council approving the proposed changes to the Constitution, the text contained in Appendix 1 will be incorporated into the Constitution.

6. IMPLICATIONS OF THE DECISION

6.1 Council Key Priorities and Performance

6.1.1 The proposed amendments support the Corporate Plan priority of Doing our core work well by strengthening the Council's governance arrangements and providing clearer, more effective procedures for Council and committee meetings. The amendments will help ensure that business is conducted efficiently, Members have an appropriate opportunity to participate in debate and decisions are taken within a clear, consistent and legally robust framework.

6.2 Financial Implications

6.2.1 There are no additional financial implications arising directly from the proposed amendments. The revised provisions can be implemented within existing Democratic Services and Monitoring Officer resources. Any limited costs associated with updating and publishing the Constitution, and providing guidance to Members and officers, will be met from existing approved budgets.

6.3 Policy Implications

6.3.1 The proposals amend the Council's constitutional framework and associated procedure rules. They do not change the Council's substantive policy position but are intended to support the consistent application of the Constitution and the principles set out in the Council's Code of Corporate Governance.

6.4 Legal & Constitutional Implications

6.4.1 Section 9P of the Local Government Act 2000 requires the Council to maintain a constitution and keep it up to date. The Corporate Governance Committee is responsible for considering proposed changes to the Constitution and making recommendations to Council, with approval of the proposed amendments reserved to Council. The changes in Appendix 1 relate to the Council Procedure Rules, the Call-in Procedure and the procedure governing decision-making by the Development Management Committee. The proposals are intended to provide clearer and more robust arrangements, reduce procedural uncertainty and support decisions that are properly reasoned and capable of being defended if challenged.

6.5 Community Impact

6.5.1 No direct community impacts have been identified. Clearer and more effective decision-making arrangements should support transparency, accountability and public confidence in the Council's governance processes.

6.6 Environment & Climate Change Implications

6.6.1 There are no direct environmental or climate change implications arising from the proposed amendments.

6.7 Equality & Diversity Implications

6.7.1 The Council must have due regard to the Public Sector Equality Duty under section 149 of the Equality Act 2010. The proposed amendments concern the operation of the Council's decision-making procedures and are not expected to affect people differently because of a protected characteristic. No adverse equality or diversity impacts have been identified.

6.8 Implications on Resources

6.8.1 The amendments can be implemented within resources. There may be a limited requirement to update published constitutional documents and provide guidance to Members and officers, but no additional staffing, procurement, property or ICT resources are anticipated.

6.9 Health & Wellbeing Implications

6.9.1 N/A

6.10 Local Government Reorganisation (LGR) Implications

6.10.1 The proposals have no direct impact on Local Government Reorganisation. However, maintaining clear, efficient and legally robust governance arrangements will support the Council during the transition period and assist with continuity of decision-making while reorganisation arrangements are developed.

7. RISK MANAGEMENT

7.1 If the Constitution is not updated, there is a risk that procedural ambiguity will continue, leading to inconsistent practice, avoidable delay, ineffective use of meeting time or decisions that are more difficult to defend. The proposed amendments mitigate these risks by clarifying the relevant rules and responsibilities. Implementation will be supported through publication of the revised Constitution and appropriate guidance to Members and officers. The residual risk is considered low.

8. BACKGROUND PAPERS– LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

8.1 The Council's Constitution, relevant guidance from the Centre for Governance and Scrutiny and the papers considered by the Constitution Review Working Group on 5th November 2026 have informed this report.

Document List	Custodian	File Location
Council's Constitution and Constitution Review Working Group papers, 5 November 2026	Interim Monitoring Officer / Democratic Services	Council website and Democratic Services records