

Area of Review	Proposal and Rationale	Sections of the Constitution to be revised
Scope of Council Questions by Members	<p>There is currently a disparity between the scope for questions from members of the public and councillors. The scope applied to public questions does not currently apply to questions on notice by councillors. A change to Procedure Rule 9 to include the same scope as for questions from members of the public (as set out below) would bring both Procedure Rules 8 and 9 into line with each other.</p> <p><i>The Monitoring Officer may reject a question if:</i></p> <p><i>(a) it is not about a matter for which the Council has a responsibility or which affects the district;</i></p> <p><i>(b) it is defamatory, frivolous or offensive;</i></p> <p><i>(c) it is substantially the same as a question which has been put at a meeting of the Council in the past six months;</i></p> <p><i>(d) it requires the disclosure of confidential or exempt information;</i></p> <p><i>(e) it breaches any procedure rule;</i></p> <p><i>(f) it relates to an item on the agenda for that Council meeting; or</i></p> <p><i>(g) it relates to a planning application that is in the process of being determined by the District Council.</i></p> <p><i>If a question is rejected the person who submitted it will be notified in writing before the meeting and given the reasons for the rejection.</i></p>	Part 4 – Council Procedure Rule 9

<p>Withdrawal of Questions by Members</p>	<p>There is no provision within the constitution for a Councillor to withdraw a question which has been submitted, accepted and published. Referring to section 9 with the Council Procedure Rules the Constitution is silent on this scenario. This matter has been referred to the Standards Committee to agree clarity by adding a 9.10 to page 80 of the May 2021 Constitution (which is currently being published).</p> <p>9.10: Withdrawal of Questions</p> <p><i>A question which has been accepted and published may be withdrawn by the Member who asked it provided that they indicate this in writing to the Monitoring Officer and the Member to which the question has been asked not later than 24 hours in advance of the meeting.</i></p>	<p>Part 4 – Council Procedure Rule 9</p> <p>Adding in 9.10.</p>
<p>Delegation Scheme Amendment</p>	<p>There are some statutory matters which are missing from the Proper Officer provisions within the Scheme of Delegation. Provisions required for the notification and control powers from transmissible diseases which are given to Proper officers within:</p> <p><i>Public Health (Control of Disease) Act 1984</i></p> <p><i>S11, 18, 20, 21, 22, 24, 29, 31, 36, 40, 42, 43 and 48</i></p> <p><i>Public Health (Infectious Diseases) Regulations 1988</i></p> <p><i>Regulations 6,8,9,10</i></p> <p>Sch 3 and 4</p> <p>As these are in statute, it is just a matter of governance to ensure that they are documented within the Constitution. With Standards Committee approval, these will be added under the Monitoring Officer's delegation</p> <p>13.20 To make appropriate changes to the Constitution arising from any new legislation, administrative errors or conflicts in interpretation.</p>	<p>Proper Officer Provisions</p>

Housing Allocations Review Panel (HARP)	<p>The Housing Allocations Review Panel (HARP) membership (set out at (1) on page 54 of the May 2021 Constitution which is currently being published) needs to be updated as the Housing Needs Manager post has been disestablished. It is proposed to substitute the Housing Needs Manager post with <i>the Community Safety and Enforcement Manager</i> post.</p> <p>Also, it is proposed to change (2) from ‘ The Housing Needs Manager or the Housing Enforcement Manger must be in attendance’ to <i>‘The Housing Enforcement Manager or the Community Safety and Enforcement Manager must be in attendance with at least one other panel member.’</i> This change would ensure clarity on who needed to be present and that the panel should comprise of at least two officers.</p> <p>The changes to job titles will be amended under the housekeeping process. With Standards Committee approval, the second change will be added under the Monitoring Officer’s delegation</p> <p>13.20 To make appropriate changes to the Constitution arising from any new legislation, administrative errors or conflicts in interpretation.</p>	<p>Part 3 – Responsibility for Functions</p> <p>3.6 Committee Terms of Reference – HARP sections (1) and (2)</p>
Deadlines	<p>Clarity is required when no time has been specified in respect of a deadline.</p> <p>This would require the following sentence to be added to the Council Procedure Rules - <i>‘Unless otherwise stated, or where ‘working day’ is used as a description, a deadline within this constitution is deemed to be 5.00pm’.</i></p>	<p>Part 4.1 – Council Procedure Rules</p>