



Title: **Constitution Amendments**  
Public Agenda Item: **Yes**

Wards Affected: **All wards in Torbay**

To: **Council** On: **13 July 2011**

Key Decision: **No**

Change to Budget: **No** Change to Policy Framework: **No**

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## **1. What we are trying to achieve and the impact on our customers**

- 1.1 To consider a proposed amendment to the Constitution relating to the order of business within Standing Orders in relation to Council Meetings which could not be agreed by the Mayor and Group Leaders.

## **2. Recommendation(s) for decision**

- 2.1 That the Monitoring Officer be requested to amend the Constitution (as set out at Appendix 1) so that standing order A7.1(ix) 'to answer any question under Standing Order A13' is moved to the end of the order of business at every ordinary and extraordinary meeting of the Council.

## **3. Key points and reasons for recommendations**

- 3.1 The Leadership Group (comprising the Mayor, Group Leaders and Deputy Leaders) met on 6 July 2011 to discuss the amendments suggested by the Monitoring Officer to the Constitution following the election of Mayor Oliver. Pursuant to paragraph 1.03 of the Constitution the Monitoring Officer is able to make amendments to it with the consent of the Mayor and Group Leaders. The amendments that were agreed by the Mayor and Group Leaders will be made to the Constitution however no agreement could be reached on the proposed change to the order of business for Council meetings. Where there is no consensus it is necessary for the proposed change to the Constitution to be agreed by full Council. The proposed amendment is attached at Appendix 1.

**For more detailed information on this proposal please refer to the supporting information attached.**

**Anthony Butler  
Monitoring Officer**

## **Supporting information**

### **A1. Introduction and history**

A1.1 The Council's Constitution was formally adopted at the meeting of the Council held on 16 January 2002. A fundamental review of the Constitution took place in the light of the elected mayor system of governance which came into effect on 24 October 2005. Since that time the Constitution has been reviewed on a number of occasions with the recent review being the latest.

A1.2 The Leadership Group met on 6 July 2011 to discuss the latest amendments. The Mayor and Councillors Darling, Excell, Morey, Pentney and Stockman.

### **A2. Risk assessment**

#### **A2.1 Outline of significant key risks**

A2.1.1 None.

### **A3. Other Options**

A3.1 None

### **A4. Summary of resource implications**

A4.1 No significant resource implications.

### **A5. What impact will there be on equalities, environmental sustainability and crime and disorder?**

A5.1 None

### **A6. Consultation and Customer Focus**

A6.1 The Leadership Group and Senior Officers were consulted on the amendments.

### **A7. Are there any implications for other Business Units?**

A7.1 No

## **Appendices**

Appendix 1 Proposed amendments to Council Standing Orders

## **Background Papers:**

None