

Proposed changes to the Constitution June 2022

(additions shown in bold, italic text with deletions struck through)

Part 1, Section 1 – Standing Orders

Treatment of Motions under Standing Order 2.23(k)

2.23(k) To deal with business remaining from the last meeting, if any;
excluding notices of motion, which are subject to Standing Order 2.48.

Time Limit for whether a Motion is in order

- 2.55 A motion cannot be in order if it attempts to rescind, reverse or is inconsistent with any decisions made within the ***four-year Council term*** ~~preceding six months~~. The only exceptions are:
- (a) The right of the Leader to challenge a decision of the County Council under Standing Orders 2.67 to 2.71 (Disputes Procedure); ~~and~~
 - (b) The notice required in Standing Order 2.45 bears the names of at least a quarter of the County Council in addition to the proposer; ***and***
 - (c) ***Where the Chairman considers it appropriate to consider its inclusion because of a significant change in circumstance related to the subject matter, in liaison with the Director of Law and Assurance.***

[N.B. This Standing Order is relevant only to motions moved by members at County Council meetings and not to recommendations of committees.]

Virtual Attendance at Meetings

- 3.09e ~~When a member is unable or unwilling, for good reason, to attend a meeting of the Council in the chamber due to public health concerns, the Chairman will allow the member to participate virtually via video conferencing, when the facility is available. This will be treated as attendance at the meeting but members attending remotely cannot vote or count for the purpose of calculation of the quorum of the meeting. Members participating remotely may take part in information and non-decision items only, namely the items of business set out in Standing Order 2.23 (d), (e), (i), (j) (save for a vote on any proposition), (k) (save for any decision items or voting required), (n), (p), (q), (r), (s), (t) and (u) (save for any decision items or business requiring a vote).~~
- 3.09ef When a member of a committee decides, for good reason, not to attend a meeting of that committee due to personal or public health concerns,

caring responsibilities, disability, or the need to attend more meetings, they can ask the Chairman of the committee ***to*** will allow the member to participate virtually via video conferencing, when the facility is available. This will be treated as attendance but the member does not count for the purpose of the calculation of the quorum for the meeting. The member may not participate in any business for which a vote on a decision is required unless it comprises the recommendations on an item of business of a Scrutiny Committee.

Cancellation of a Meeting

3.09f ***The relevant Chairman (or Vice-Chairman in the Chairman's absence) can agree to the cancellation of a meeting when the agenda has already been issued in exceptional circumstances and on the advice of the Director of Law and Assurance.***

Substitutes for Governance Committee

Substitutes for *Governance and Planning and Rights of Way* Committees

- 6.03 Substitute members are permitted to attend a meeting of the ***Governance and Planning and Rights of Way* Committees.**
- 6.04 The County Council will, at each annual meeting, nominate a panel of ***eight*** substitutes for the *Planning and Rights of Way Committee* ***and a panel of four substitutes for the Governance Committee, to be appointed in line with political proportionality but including at least one member for each group represented on the Committee.***
- 6.05 If a member is not able to attend a meeting, his or her political party may arrange a substitute by giving appropriate notice to the Director of Law and Assurance in writing, including the name of the member to attend in his or her place from the appropriate panel of substitutes.
- 6.06 The notice should be given by the appropriate Group Leader, Deputy Group Leader, Group Secretary or Group Chairman to the Director of Law and Assurance by 5.00 p.m. on the day before the meeting if possible and not later than the start of the meeting.
- 6.07 Members appointed as substitutes are in the same position in terms of responsibilities and duties as any other member of the committee, for example in relation to the declaration of any interest they might have.

Substitutes for Scrutiny Committees

- 7.2 Substitute members are permitted to attend a meeting of each Scrutiny Committee to which the member has been appointed as a substitute. They will receive notifications and papers as if they were a member of the relevant Committee.

- 7.3 The County Council will, at each annual meeting, approve a panel of **five** substitutes **for Performance and Finance Scrutiny Committee and four** for each of the other Scrutiny Committees. **The panels will be appointed in line with political proportionality but including at least** one member for each political group represented on the relevant Committee.
- 7.4 If a member is not able to attend a meeting, his or her political group may arrange a substitute by giving appropriate notice to the Director of Law and Assurance in writing, including the name of the member to attend in his or her place.
- 7.5 The notice should be given by the appropriate Group Leader, Deputy Group Leader, Group Secretary or Group Chairman to the Director of Law and Assurance by 5.00 p.m. on the day before the meeting if possible and not later than the start of the meeting.
- 7.6 Members appointed as substitutes are in the same position in terms of rights and responsibilities as any other member of the committee, including the duty to declare any interest they might have.