

APPENDIX B

Constitution Review 2016 17 Previously approved at Full Council since May 2015

No.	Item	Date approved by Full Council
1.	<u>Part 1 : Summary</u> None	-
2.	<u>Part 2 : Articles</u> None	-
3.	<u>Part 3 : Responsibility for Functions</u> <ol style="list-style-type: none"> <li data-bbox="300 667 1166 741">1. Establish Sports, Leisure and Culture Working Group and appoint Members thereto. <li data-bbox="300 779 1166 920">2. The new design of the Committee Structure diagram as set out in Appendix A to the report submitted to the Governance Committee on 28 September 2015 be adopted for inclusion within the Constitution. <li data-bbox="300 958 1166 1070">3. The establishment of a Town Area Committee for Melton Mowbray covering the Wards of Craven, Dorian, Egerton, Newport, Sysonby and Warwick. <li data-bbox="300 1108 1166 1361">4. Delegation of Functions be amended to include specific delegations to the Town Area Committee together with amendments to the delegation to the Community and Social Affairs Committee as set out in Appendix 1 and 2 of the report presented to the Governance Committee on 29 June 2015 and the Policy, Finance and Administration Committee on 7 July 2015. <li data-bbox="300 1400 1166 2027">5. The Terms of Reference for the Sports, Leisure & Culture Working Group are <ul style="list-style-type: none"> <li data-bbox="347 1473 1166 1585">• To recommend to Full Council a comprehensive Business Case for the delivery of the Melton Sports & Leisure Village. <li data-bbox="347 1592 1166 1697">• To determine the most effective and efficient procurement for the Design, Build, Operate & Manage (DBOM process). <li data-bbox="347 1704 1166 1883">• To oversee and coordinate current service improvements and enhancement, to include relevant events whilst developing the Business Case working in partnership with SLM (Management Contractor 'Everyone Active') <li data-bbox="347 1890 1166 2027">• To oversee the discussions with Sporting National Governing Bodies (NGB's) and other potential funders leading to relevant bids for funding and other applications. 	<p data-bbox="1193 667 1380 701">21 May 2015</p> <p data-bbox="1193 779 1380 813">22 July 2015</p> <p data-bbox="1193 958 1380 992">22 July 2015</p> <p data-bbox="1193 1108 1380 1142">22 July 2015</p> <p data-bbox="1193 1400 1380 1433">22 July 2015</p>

	<ul style="list-style-type: none"> • To effectively oversee and build good relationships with current users and future users of the facility and coordinate the development of appropriate agreements in line with the development of the Sports & Leisure Village • To make recommendations for implementation of the phases of the Project. • To ensure that all development options are aligned to National, Regional and sub-regional strategies and policies. • To make regular updates and monitoring reports to the Full Council and other partners as required. <p>6. To approve the change to the Council's Constitution with effect from the Annual Meeting in 2016 that the membership of the Governance Committee includes the Lead Member for Equalities.</p> <p>7. The Melton, Sports, Leisure & Culture Working Group continues to operate under the new Terms of Reference of:</p> <p><i>'To oversee the development of the project and consider the final Procurement Report for Full Council to determine the way forward'.</i></p> <p>8. A new delegation to the Town Area Committee to enable the Committee to be consulted on relevant policy matters that affect the town as follows :-</p> <p><i>6. To carry out a consultative role with respect to any policy matters which relate to or could impact upon the town of Melton Mowbray (this is in addition to those matters set out at 3 and 4 above);</i></p> <p>9. <u>New Working Group - Economy Board</u> The establishment of a new working group called the Economy Board, terms of reference to be as set out at Appendix B.</p> <p>10. The Council's Constitution be amended by the Full Council to permit the Policy Finance and Administration Committee to have the budget responsibility for the lottery and overview of the management of the service.</p> <p>11. 'The Melton, Sports, Leisure & Culture Working Group' continues to operate under the new Terms of Reference of:</p> <p><i>'To oversee the development of the project and consider the Procurement Reports for Full Council to be able to</i></p>	<p>16 Dec 2015</p> <p>30 March 2015</p> <p>20 July 2016</p> <p>20 July 2016</p> <p>12 Oct 2016</p> <p>12 Oct 2016</p>
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	<i>determine the way forward'</i>	
4.	<p><u>Part 3 : Delegations to Officers</u></p> <p>1. <u>A new Officer Delegation to the Head of Central Services</u> in consultation with the Head of Communities and Neighbourhoods being item 73 as follows :-</p> <p><i>'In consultation with the Head of Communities and Neighbourhoods to adopt local business rate relief schemes, where it is in the interest of local businesses and the Council to do so, following guidance from Central Government'</i></p> <p>2. <u>A new Officer Delegation to the Head of Communities and Neighbourhoods</u> being item 84 as follows :-</p> <p><i>'To approve the opening of additional toilet facilities for key events in the town centre as designated by Members or additional events where it is considered there is a need that should be filled through the council.'</i></p> <p>3. <u>A transfer of an Officer Delegation no. 17 from the Solicitor to the Council</u> which as follows :-</p> <p><i>'17 To administer, effect and make all necessary decisions in respect of the Sale of Council Houses under the Right to Buy Scheme.'</i></p> <p>4. <u>Transfer the above Officer Delegation to the Head of Communities and Neighbourhoods</u> in consultation with the Solicitor to the Council and this be item 85 and read as follows :-</p> <p><i>'In consultation with the Solicitor to the Council to administer, effect and make all necessary decisions in respect of the Sale of Council Houses under the Right to Buy Scheme.'</i></p> <p>5. <u>Head of Central Services</u> Delegated authority be given to the Head of Central Services in consultation with the Lead Member for Equalities to update the Single Equality Scheme with any comments received from the Council's Management Team and submit the scheme to Full Council for inclusion in the Council's Constitution.</p> <p>6. <u>Head of Communities and Neighbourhoods</u> In consultation with Head of Central Services to make any necessary changes to the Discretionary Business</p>	<p>22 July 2015</p> <p>22 July 2015</p> <p>22 July 2015</p> <p>22 July 2015</p> <p>16 Dec 2015</p> <p>16 Dec 2015</p>

	<p>Rates Grant Scheme, that will improve the scheme to meet the purpose of providing targeted support to businesses.</p>	16 Dec 2015
	<p>7. <u>Head of Regulatory Services</u> To authorise officers to utilise the powers under the Anti-social Behaviour, Crime and Policy Act 2014 commensurate with their role and responsibilities.</p>	16 Dec 2015
	<p>8. <u>Head of Communities and Neighbourhoods</u> To authorise officers to utilise the powers under the Anti-social Behaviour, Crime and Policy Act 2014 commensurate with their role and responsibilities.</p>	16 Dec 2015
	<p>9. <u>Head of Communities and Neighbourhoods</u> To designate External Agencies Officers (ie. Regulated Social Landlords dealing with ASB, housing issues) to utilise the powers under the Anti-social Behaviour, Crime and Policy Act 2014 commensurate with their role and responsibilities, where this be determined to be appropriate.</p>	10 Feb 2016
	<p>10. <u>Head of Central Services – Change to existing Officer Delegation - 65</u> To increase the income threshold of this existing Officer Delegation from £10,000 per annum to £20,000 per annum and the amended delegation read as follows :- <i>‘To effect the taking or the grant, renewal, rent assignment, transfer, surrender review and termination of any leases, licences, easements, wayleaves, consents and rights in land or buildings, the income from which does not exceed £20,000 per annum or a premium payable does not exceed £20,000 per annum.’</i></p>	10 Feb 2016
	<p>11. <u>Corporate Property Officer – Change to existing Officer Delegation - 1</u> To increase the income threshold of this existing Officer Delegation from £10,000 per annum to £20,000 per annum and the amended delegation read as follows :- <i>‘To effect the taking or the grant, renewal, rent assignment, transfer, surrender review and termination of any leases, licences, easements, wayleaves, consents and rights in land or buildings, the income from which does not exceed £20,000 per annum or a premium payable does not exceed £20,000 per annum.’</i></p>	10 Feb 2016
	<p>12. <u>Head of Communities and Neighbourhoods</u> A new Officer Delegation for the Head of Communities and Neighbourhoods is needed in relation to the Wheels</p>	10 Feb 2016

	<p>to Work scheme to allow the insurance excess charge to be waived in exceptional circumstances. The new delegation to read as follows :-</p> <p><i>'In respect of the Wheels to Work scheme, to determine whether to waive the insurance excess charge in exceptional circumstances.'</i></p> <p>13. <u>Head of Communities and Neighbourhoods</u> To make applications relating to Road Closures under Section 21 of the Town Police Clauses Act 1847.</p> <p>14. <u>Head of Communications</u> Grant delegated authority to the Head of Communications to amend the ICT Protocol for Members in line with best practice and changes to legislation.</p> <p>15. <u>Head of Communities & Neighbourhoods</u> Delegation be granted to the Head of Communities & Neighbourhoods to act as the responsible officer in relation to the lottery licence with the Gambling Commission and the Council's Constitution be updated accordingly.</p>	<p>20 July 2016</p> <p>20 July 2016</p> <p>20 July 2016</p>
<p>5.</p>	<p><u>Part 4 : Rules of Procedure</u></p> <p>1. <u>Contract Procedure Rules : OJEU Thresholds</u> It be noted that the Head of Central Services had exercised her delegation for an amendment to the Contract Procedure Rules of the following revised OJEU thresholds which came into effect from 1 January 2016 and will apply for two years :</p> <p><u>Goods and Services</u> New threshold: £164,176 (was £172,514)</p> <p><u>Works</u> New threshold: £4,104,394 (was £4,322,012)</p> <p><u>Light Touch (mainly care contracts)</u> New threshold : £589,148</p> <p>2. <u>Contract Procedure Rules (CPR) : Exemptions</u> To approve the Contract Procedure Rules Exemptions as set out at Appendix A and these replace the existing exemptions within the CPR in Part 4 of the Constitution.</p> <p>3. <u>Council Procedure Rule 20.1</u> To approve that the following existing Procedure Rule 20.1 apply to Committees and Sub Committees :-</p> <p><u>Removal of member of the public</u> 20.1 If a member of the public interrupts</p>	<p>10 Feb 2016</p> <p>27 April 2016</p> <p>27 April 2016</p>

	<p>proceedings, the Mayor (or Chairman) will warn the person concerned. If they continue to interrupt, the Mayor (or Chairman) will order their removal from the meeting room.</p> <p>4. <u>Council Procedure Rules 14.1 and 14.2</u></p> <p>To approve that the italic formatting be removed to the existing Procedure Rules being 14.1 and 14.2 as these rules do not apply to Committees and Sub Committees :-</p> <p>14. PREVIOUS DECISIONS AND MOTIONS Motion to rescind a previous decision</p> <p>14.1 <i>A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least six Members.</i> Motion similar to one previously rejected</p> <p>14.2 <i>A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least six members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.</i></p>	27 April 2016
6.	<p><u>Part 5 : Codes and Protocols</u></p> <p>1. The changes to the 'Arrangements for Site Inspections for Planning Applications' as set out in the report to the Planning Committee at Appendix A which sets out the proposed changes to Appendix 3 of the Site Inspections Protocol. This document sits within the Code of Conduct for Members and Officers dealing with Planning Matters.</p> <p>2. To adopt the revised Member Complaint Process.</p> <p>3. To approve the revised ICT Protocol for Members for adoption in the Council's Constitution.</p>	<p>22 July 2015</p> <p>20 July 2016</p> <p>20 July 2016</p>
7.	<p><u>Part 6 : Members' Allowances Scheme</u></p> <p>1. To accept the Welland Partnership Independent Remuneration Panel's recommendations as set out below and that the Council's Constitution be amended accordingly:</p> <p><i>'Where the Members of the Council are divided into at least two groups constituted in accordance with regulation 8 of the Local Government (Committees and</i></p>	14 Oct 2015

	<p><i>Political Groups) Regulations 1990 a special responsibility allowance shall be paid to the leaders(s) of the political group(s) other than the group containing the Leader of the Council to a maximum of the special responsibility allowance paid to the Policy Committee Chair.</i></p> <p><i>The amount of such allowance for each Leader other than the Leader of the Council shall be calculated by sharing the sum of £3,589 pro rate to the number of Members in each Group excluding the Group containing the Leader of the Council. The main Opposition Group Leader's allowance be augmented by £670.94 per annum.</i></p> <p><i>Where there is just one other Group Leader, besides the Leader of the Council, 50% of the sum of £3,589 be paid, together with the sum of £670.94 per annum to recognise the additional responsibilities undertaken by the Leader of the Opposition since dissolving of the Scrutiny Committee.'</i></p> <p>2. To note the revised Members' Allowances Scheme following the recent NJC Pay Award of 1.0 % as set out at Appendix A.</p> <p>3. The recommendations contained in the report by the independent Welland Remuneration Panel be accepted as set out below and implemented with effect from the date of this meeting;</p> <ul style="list-style-type: none"> • the basic allowance remain unaltered; • the Special Responsibility Allowance for Committee Chairs and the Deputy Leader be increased to £3,964 pa apart from the Chair of the Appeals Committee where it will be to £2,100 pa; • all other Special Responsibility Allowances remain the same; • no change be made to the Travel and Subsistence Expenses Scheme or the Childcare and Carers Allowance Scheme; • allowances continue to be index linked to NJC Pay Awards. 	<p>20 July 2016</p> <p>12 Oct 2016</p>
8.	<p><u>Part 7 : Management Structure</u> None</p>	-
9.	<p><u>Part 8 : Performance Management</u> None</p>	-

10.	<u>Part 9 : Single Equality Scheme</u> To note and endorse the updates to the Single Equality Scheme and to approve the Scheme's inclusion within the Council's Constitution.	16 Dec 2015
11.	<u>Part 10 : Whistleblowing Policy etc</u> The Money Laundering Policy be approved for adoption into the Council's Constitution.	12 Oct 2016