

Issue	Current Constitution Reference	Proposed Changes/ Reason
Section 1		
Project Boards	<p>1.2.6 On larger projects the Council uses an approach based on the PRINCE2 (an acronym for projects in controlled environments, version 2) model of project management, in which the Lead Officer (called the project executive) is the decision maker. This model includes Project Boards whose role is to provide the Lead Officer with the support and input necessary for the project to proceed and to overcome any problems. The Managing Director appoints the Lead Officer for the Project Board, and the Lead Officer will liaise with relevant Senior Officers and the Leader of Council on the Officer/ Member appointment to the Board (respectively). Membership will take into account the number of Members/ Officers, the risk and/or profile of the project and the skills and experience that will benefit the project (this list is non exhaustive). It may include external support. Membership usually includes appropriate Cabinet members. A Member shall Chair the Board. As an internal consultation and advisory meeting with no decision making powers, meetings are private and do not require a published agenda, reports or minutes.</p>	<p>Amendment as in red: 1.2.6 On larger projects the Council aims to uses an approach based on the PRINCE2 (an acronym for projects in controlled environments, version 2) ...reports or minutes.</p> <p>Reason: For flexibility and to reflect what we say as part of the Project Management Overview.</p>
Section 4		
Reference to receipt of Annual Reports from the Overview & Scrutiny, Finance, Audit and Risk or Standards Committees.	4.4 Council Terms of Reference:	<p>Add new (ee) to the Terms of Reference: New (ee) to receive Annual reports from the Overview & Scrutiny; Finance, Audit and Risk and Standards Committees.</p> <p>Reason:</p>

Constitutional Changes

Appendix A

Issue	Current Constitution Reference	Proposed Changes/ Reason
		Although these reports go to Full Council, not currently covered in the Terms of reference.
Order of business at Council meetings to encourage better engagement of the community, including moving motions and questions from Members to the start of ordinary Council meetings.	<p><i>Currently these are the last items of business under 4.8.2 (j) & (k).</i></p> <p><i>(j) consider motions;</i> <i>(k) deal with questions from Members in accordance with 4.8.11</i></p>	<p><i>Move (j) and (k) to after questions of the public (e), re-number and slight amendment as below.</i></p> <p><i>Motion to be called</i> <i>(f) Motions from Members;</i> <i>(g) deal with questions from Members in accordance with 4.8.11 "</i></p> <p>Reason: Requested last year by Chair – to allow for better engagement of the public, as they may be more interested in these motions or questions and therefore better to have these earlier on in the meeting.</p>
Notification of substitutes where a Committee, such as the Joint Staff Consultative Committee starts at 10am.	<p><i>4.8.4 Appointment of Substitute Members of Committees, Sub-Committees and Panels</i></p> <p><i>4.8.4(f) Substitute members may attend meetings in that capacity only:</i> <i>(iii) after notifying the Proper Officer by 12 noon on the day of the meeting of the intended substitution.</i></p>	<p><i>Amendment in red:</i></p> <p><i>4.8.4(f) Substitute members may attend meetings in that capacity only:</i> <i>(iii) after notifying the Proper Officer by 12 noon on the day of the meeting or the day before by 12 noon (where that meeting is scheduled between 9 am – 5pm the following day) of the intended substitution.</i></p> <p>Reason: Current provision does not address issues where meetings are held earlier in the day.</p>
Recorded vote requests.	<p><i>4.8.16(e) Voting</i> <i>(e) Recorded Vote</i> <i>If one Member present at the meeting so demands it, the names for and against the motion</i></p>	<p><i>Proposed amendment as below:</i></p> <p><i>(e) Recorded Vote</i></p>

Issue	Current Constitution Reference	Proposed Changes/ Reason
	<p><i>or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot. A recorded vote must be taken when a budget decision is made under 4.8.16(h).</i></p>	<p><i>If one two Members present at the meeting so demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot. A recorded vote must be taken when a budget decision is made under 4.8.16(h).</i></p> <p>Reason: The number to request is discretionary. The information is recorded under the electronic system, and excessive requests delay proceedings, but increasing the number who have to make the request, this should reduce the number made.</p>
Section 8		
<p>Licensing & Appeal Name of the committee/ Sub-Committees needs to be updated.</p>	<p>8.2 Licensing & Appeals Committee</p> <p>8.3.1 Membership <i>Three (3) Councillors shall be appointed to a Licensing Sub-Committee and one non-voting observer reserve Councillor .</i></p> <p>8.3.2 Quorum <i>The quorum for a meeting of a Sub-Committee shall be three (3) voting member of that Sub-Committee.</i> <i>These bodies deal with licensing functions delegated from the Licensing and Regulation Committee in accordance with the Licensing Act 2003, Gambling Act 2005 and Local Government (Miscellaneous Provisions) Act 1982. Please note that the hearing is a public meeting, but the Sub-</i></p>	<p>The Principal Committee to be called Licensing and Regulation Committee.</p> <p>Two Sub-Committees to reflect different areas of the Licensing Act/ Gambling Act or other Licensing Regulation areas.</p> <ul style="list-style-type: none"> - Licensing Sub-Committee– Licensing Act and Gambling Act; - Licensing Regulation Sub-Committee (Local Government (Miscellaneous Provisions) Act 1982 <p>8.3.1 Membership of either Sub-Committee <i>Three (3) Councillors shall be appointed to a Licensing Sub-Committee and one non-voting observer reserve Councillor .</i></p>

Issue	Current Constitution Reference	Proposed Changes/ Reason
	<p><i>Committee’s deliberations take place privately, prior to resuming the public meeting to announce its decision.</i></p>	<p>8.3.2 Quorum <i>The quorum for a meeting of a Licensing-Sub-Committee shall be three (3) voting member of that Sub-Committee.</i></p> <p><i>The Licensing Sub-Committee: These bodies deal with Licensing functions delegated from the Licensing Committee in accordance with the Licensing Act 2003, Gambling Act 2005 and ((as per 8.3.3)</i></p> <p><i>Licensing Regulation Sub-Committee: Local Government (Miscellaneous Provisions) Act 1982 (as per 8.3.4).</i></p> <p><i>Please note that the hearing is a public meeting, but the Sub-Committee’s deliberations take place privately, prior to resuming the public meeting to announce its decision.</i></p> <p>Reason: The Committee does not deal with ‘appeals’ and therefore irrelevant reference.</p> <p>There is legal opinion that you need two Licensing Committees to deal with different elements of licensing functions. Rather than have two separate principal Licensing Committees, the suggested approach is to have two differently named Sub-Committees that can deal with the functions as required (but drawn from the main principal Committee – renamed Licensing and Regulation).</p> <p>NB any Member current appointed to the Licensing & Appeals Committee will</p>

Issue	Current Constitution Reference	Proposed Changes/ Reason
		automatically become a member of the Licensing and Regulation Committee.
Section 10		
Flexibility to allow for electronic seals and records to be used.	<p>13.5 Common Seal of the Council</p> <p><i>13.5.1 Common Seal</i> (a) <i>The Common Seal of the Council shall be kept in a safe place in the custody of the Service Director: Legal and Community.</i> (b) <i>A decision of the Council, or any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.</i></p> <p><i>13.5.2 Sealing and Execution of Documents</i> <i>The Common Seal will be affixed to those documents which, in the opinion of the Service Director: Legal and Community should be sealed. The affixing of the Common Seal will be attested by those officers authorised to do so by this Constitution (or as may be further delegated to officers).</i></p> <p><i>13.5.3 Record of Sealing of Documents</i> <i>Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made by the officer affixing the seal and consecutively numbered in a book to be provided for the purpose.</i></p>	<p><i>13.5.1 Common Seal</i> (a) <i>The Common Seal of the Council shall be kept in a safe place in the custody of the Service Director: Legal and Community.</i> (b) <i>A decision of the Council, or any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.</i></p> <p><i>13.5.2 Sealing and Execution of Documents</i> <i>The Common Seal will be affixed to those documents which, in the opinion of the Service Director: Legal and Community should be sealed. The affixing of the Common Seal will be attested by those officers authorised to do so by this Constitution (or as may be further delegated to officers).</i></p> <p><i>13.5.3 Record of Sealing of Documents</i> <i>Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made by the officer affixing the seal and consecutively numbered in a book to be provided for the purpose.</i></p> <p><i>New:</i> <i>13.5.4 References in 13.5.1-13.5.3 above (and Common Seal generally) includes an electronic version.</i></p> <p>Reason This reflects current practice of Hertfordshire County Council and emerging trends nationally over the last year. A pictorial version can be applied and electronic record retained in the legal</p>

Constitutional Changes

Appendix A

Issue	Current Constitution Reference	Proposed Changes/ Reason
		drives – which has limited access. It will reduce the need for officers to attend the DCO – where this is the only reason for travel, is more efficient and environmentally friendly.
Section 14		
Change of remit are regarding printing for Service Director: Customers	14.6.7, (b) ii D <i>“reprographics, corporate stationery and the Courier and member mail service”</i>	Amend as in red <i>“corporate stationery, courier, member mail service and print contract “</i> Reason Update to reflect current arrangements.
Delegations to the Service Director: Resources, need to make arrangements to deal with Assets of Community Value	14.6.11 (a) (x) <i>“(x) To consider and determine applications to: list and removal Assets of Community Value (in consultation with Officers nominated by the Service Director), whether compensation should be paid and of payment of associated costs.</i>	<i>Amend “(x) To make arrangements for the consideration and determination of applications to: list and removal Assets of Community Value (in consultation with Officers nominated by the Service Director), whether compensation should be paid and of payment of associated costs. To also ensure that any reviews of listings are undertaken in accordance with the relevant legislation.</i> Reason: To prevent issues with perceived bias in the review process. NB under the legislative provision a review of the decision has to be undertaken by an Officer.
Remit of Committee.	14.6.11 (b) (ix) <u>Performance (overall monitoring and reporting)</u> <i>“The Leader of Council, unless delegated to Finance, Audit and Risk Committee.”</i>	<i>To be amended as in red to: The Leader of Council, unless delegated to Overview & Scrutiny Committee</i>

Constitutional Changes

Appendix A

Issue	Current Constitution Reference	Proposed Changes/ Reason
		Reason: The responsibility for monitoring Performance sits with Overview & Scrutiny Committee rather than Finance, Audit and Risk Committee.