

Reference	Subject	Raised by	Response/ reason Reference to changes made to denote <i>proposal</i> unless statutory requirement.	C&G Working Group/ MO Legal response/ proposal
	Contents page index to include descriptions	Cllr Stears-Handscomb	To make this easier to find sections	To list.
General: Throughout	Removal of gender terms	Last Constitutional review Cllr Deakin-Davies	Suggested as part of the 2018/19 for the May 2019 implementation. Resource constraints at the time. Therefore to consider and potentially take forward during this review.	Changing he/ she; s/he has to ‘they have’. Change of Chairman to ‘Chair’ Search against: man, woman men, women, father, mother, dad, mum, mankind, womankind undertaken –none found Sections 19/20 to be updated accordingly.
General & specific	Delegated Decision – where these are Executive, they should be undertaken by the Executive Member in consultation with relevant officer.	Cllr Stears-Handscomb; Cllr David Levett	This would not apply to non-executive officer decisions on licensing, planning, licences, any specific function delegated by Full Council to an officer, or individual decisions made by a Committee. Specifically Grant decisions (on recommendation of the Capital / Capital and Revenue wide panel, or those that could not be made at Area Committees).	See below those currently aware of under delegations. Ongoing work with officers required.
1.2.6	Project Boards to be chaired by a Member	Cllr Stears-Handscomb	That this should be changed from the Lead Officer to a Member. Response: The current Project Management approach is based on the PRINCE2 model, which has a Lead officer as the Project Executive and Chair of the Project Board. This is to reflect that this is a non-decision making board and the fact that operational delegations lie with the Lead Officer. Changing this will be a departure, albeit will not change the operational responsibilities/ delegations of the Lead Officer. Assumed to apply to any new Project Board established post approval of amendments to the Constitution.	<u>Proposed wording (shown as tracked change) to this effect:</u> 1.2.6 <i>‘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</i>

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				<p><i>proceed and to overcome any problems. The Chief Executive appoints the Lead Officer for the Project Board, who will chair and chose the Lead Officer will liaise with relevant Senior Officers and the Leader of Council on the Officer/ Member appointment to the Board (respectively) membership in consultation with the Leader of Council). 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. <u>A Member shall Chair the Board.</u> 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.”</i></p>
Section 2				
2.2 Definitions	Introduction of definition of Ward advocate	Independent Person – following discussions on Planning Code of Good Conduct	Make clearer role and expectation and assist with PCGC matters	<p><u>Proposed wording to this effect:</u> <i>“Ward Advocate” A Councillor representing an individual or group within a ward (or at the request of another Councillor in a single Member ward) on an issue, application, concern. This should be subject to the Code of Conduct rules on interests and not being involved in any subsequent decision making on the matter”.</i></p>
	Introduction of the definition/ explanation of ‘Cabinet Panels’	C&G Working Group	<p>To make later references to Panel’s clear.</p> <p>NB – to introduce remit wording in Panels ToR that <i>“The Panel will endeavour not to duplicate the work of the Overview & Scrutiny Committee or its Task and Finish Groups”</i></p>	<p><u>Proposed wording</u> <u>“Cabinet Panel”</u> <i>“This is a group of members that has been established as a non-decision making, investigatory and advisory body</i></p>

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				<i>to Cabinet, Executive Members or relevant Service Directors on a subject area that falls within their terms of reference”.</i>
Section 4				
4.4.1(q)	Polling station reviews	C&G Working Group	To add this remit to Full Council at (q) as this also currently covers: “agreeing proposals relating to district boundaries, electoral wards and the number of district councillors;”	<u>Proposed wording</u> <i>(q) review and agree proposals on polling districts, polling places and polling stations, district boundaries, electoral wards and the number of District Councillors;</i>
4.5.5	Role of Members		Remove reference to role description being on website	<u>Current wording:</u> <u>Role of Members</u> The role of Members is described in the document “Members’ Role Descriptions” which is available upon request and from the Democratic Services Manager. <u>Proposed wording</u> <u>‘Role of Councillors</u> <i>Information of the role of Councillors within the Council can be found on the Council’s and the Local Government Association’s websites.’</i>
4.8.1(a)(viii) & 4.8.4 (a),(b),(c),(d)(e)	Annual Meeting of Council	Consequential to changes re Panels	Add reference to Panel appointments to (viii)	<u>Proposed</u> <i>Add ‘and Panels’. ‘or Panels’ as appropriate. (d) add “Substitutes are allowed for Panels.”</i>
4.8.9 (also change Appendix 1 to section 8 para 2.6).	Amend / remove application of procedure rule to Planning Control Committee	Cllr Ian Mantle	(i) Removal of the restriction on the number of points of clarification that could be raised at the Planning Control Committee (currently 3) <i>OR – if Members unhappy to remove</i> (ii) Make it clear that the Chairman can exercise discretion to allow further points of clarification as a matter of discretion.	<u>Preference of the C&G Working Group would be (ii) make it clearer that Chair has discretion under 4.8.9 (b) Proposed words added underlined & removal of some unnecessary wording:</u> <i>“Points of clarification may be asked by</i>

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				<p><i>Council or a particular Committee through the Chair (up to a total of three on each presentation, <u>more at the discretion of the Chair</u>) of the <u>person member of the public</u> making a presentation. The Chair can decline to put a point of clarification if they consider this irrelevant or this has been covered during the presentation.”</i></p>
4.8.14 (g)(v)	Rules of Debate (v) Amendments to Motions	SD: L&C	Change wording from ‘will read out’ to ‘may read if requested’ an amended motion, as rarely occurs and not always necessary.	<p>Proposed: <i>(v) After an amendment has been carried, the Chair will <u>may if requested</u> read out the amended motion before accepting any further amendments, or if there are none, put the substantive motion as amended for debate and to the vote.”</i></p>
4.8.20 (a)	(a) Standing to Speak at Council Meetings	Cllr Stears-Handscomb/ Deputy Chief Executive	To remove the requirement to stand at Full Council meetings (? Also at the start of the meeting when Chair enters).	<p>Proposed: <i>(a) Standing to <u>Speaking</u> at Meetings</i></p> <p><i>When a Member <u>wishes to speak</u>s at Full Council <u>they</u> must <u>notify their request via the audio system (or by hand in the absence of this) stand</u> and address the meeting through the Chair. If more than one Member signifies their intention to speak, the Chair will ask one to speak. Other Members must remain silent whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.”</i></p>
Section 5				
Between 5.5 & 5.6 & new 14.6.18	‘Deputy’ Executive Members	Cllr Carol Stanier; & Cllr Ruth Brown	To include a definition in the constitution.	This is not a formal decision making position within the Executive under the provisions of the Local Government Act 2000. The definition can therefore

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		Cllr Claire Strong	<i>Alternative Proposal regarding the term – to call these roles “Administrative Observer”. If this alternative term is approved by Full Council, this will be replaced in the proposed wording - & 14.6.18.</i>	define the role at the same time as making that clear: Proposed: <i>“Note that in a joint administration a ‘deputy’ to an Executive portfolio holder may be appointed. That deputy will be invited to attend relevant meetings of the Executive (formal or informal) where executive functions are discussed, give their opinion and for this to be taken into account by the Executive decision maker or Cabinet, although they are not formally part of the Cabinet Executive nor an Executive decision maker. This does not apply to the Deputy Leader who is appointed to acts as per section 5.4”.</i>
Cabinet’s terms of reference	5.6	C&G Working Group	Amend Terms of Reference to receive recommendations from Panels.	Proposed: <u>New 5.6.37 (& subsequent renumbering)</u> <i>‘To consider and respond to recommendations from Cabinet Panels.’</i>
Cabinet Sub-Committee (Local Authority Trading Companies’ Shareholder) 5.11.4 (g) (ii)	Consider the roles	SD Regulatory	Under 5.11.4 (g) (ii) the sub-committee has the role of monitoring – this would appear to duplicate the commissioning officer role within the Building Control company documentation who attends Commissioning Group meetings and the AGM on behalf of the Council.	Proposed following discussion in C&G Working Group: <i>Amend (ii): “monitor” to “oversight of”</i> <i>To specifically delegate the monitoring functions to relevant Service Director – Regulatory (as per general delegation under section 14 for client side).</i>
Section 8				
Licensing & Appeals Committee	8.2.3 number of meetings	Licensing & Appeals Committee meeting, resolution (2)(ii),	That Service Director Legal and Community be requested to consider an amendment to the constitution in that the Committee may meeting more than once per year and that the Licensing Manager, in consultation with the Chairman of the Licensing and Appeals Committee, call meetings when necessary with a maximum of 4 per annum.	Proposed: Amend 1 to 2.

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		21.10.19		
Appendix A	Planning Code of Good Practice	Cllr Clark; Standards Committee referral	Change of wording: NB this will be subject to a separate referral report from Standards Committee.	To be incorporated in final constitutional changes post approval by Full Council.
Section 9 Area Committees				
9.8.1	Polling places reviews etc	C&G Working Group	Remove remit from Area Committees – return to Council, as unnecessary and felt there was little benefit in this going to the 5 Area Committees as could not influence any real changes.	Proposed Move to section 4.
9.8.2	Community	C&G Working Group	Changing remit of Area Committees to include receive presentation from developers for certain major developments. NB comments from Development Control Manager: The statement of community engagement is not compulsory for developers and the LPA cannot extend time for determination or refuse permission to grant planning permission. Applicants will be encouraged to engage early prior to submitting their applicant to allow for meaningful feedback. In all likelihood on the major planning developments of 100 plus this would take some time and allow for this to fit in the Area Committee cycle.	To also include in the Statement of Community Involvement. Proposed wording new ToR: New (g) <i>“In line with the Council’s adopted Statement of Community Involvement to receive any presentations from developers in their area on major planning applications for 100 dwelling and above (including Construction Management Routes) and provide comments accordingly.”</i>
9.8.2 (h) (below (h)) Also changes to 14.6.9 (b)(iii)	Executive delegated powers	Cllr Stears-Handscombe; Cllr David Levett	SD: Legal Community – change delegation from that role to the Executive Member (also note in section 14 delegations). Note that Executive decision may be delegated to Area Committee, Executive Member, or Officer (as well as Cabinet, or Sub-Committee of Cabinet	Current wording: <i>(h) To establish and maintain relationships with outside bodies/voluntary organisations operating specifically within the area including, where appropriate, the provision of discretionary grant aid/financial support etc. but excluding grants for district-wide activities (as determined by the Service Director: Legal and Community).</i>

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				<p>Proposed wording: <i>(h) Toactivities (as determined by the Service Director: Legal and Community under delegated authority).</i></p> <p>Current wording: <i>Below (h) “The Service Director: Legal and Community in consultation with the Chair or Vice Chair of the relevant Area Committee.”</i></p> <p>Proposed wording: <i>“The Executive Member for Community Engagement having consulted the Chair or Vice Chair of the relevant Area Committee and Service Director: Legal and Community”.</i></p>
Section 11				
CCTV Joint Committee 11.7 11.7.1(a)		SD: Resources; & Administration budget workshop	CCTV changes: Rewording following the governance review. At least one Executive Member nominated should be the Executive Member with responsibility for CCTV under 11.1.1(a) and to add a footnote to that effect.	<p>Proposed wording relevant sections that have been amended set out: 11.7 CCTV Joint <u>Executive</u> Committee</p> <p><i>11.7.1 Membership, Quorum and Meetings</i> <i>(a) The Membership shall comprise: three Cabinet members from each of the Authorities (in North Hertfordshire, <u>Cabinet members</u>).</i> <i>(b) Meetings shall be held at least once twice per annum or when there is sufficient business.</i> <i>(d) The Chairman shall <u>ordinarily</u> be a member of the Authority hosting the meeting, <u>although members present at the meeting may choose a Chair from any member present.</u></i></p> <p><i>11.7.2 Terms of Reference</i></p>

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				<p><i>(b) To deal with all matters defined under the CCTV ‘Code of Practice’ as the responsibility of the CCTV Joint Executive Board Committee.</i></p> <p><i>(c) To consider operations and performance reports from the CCTV Operations Manager and CCTV Officer Management Board.</i></p> <p><i>(d) To consider and approve any location, expansion or contraction proposals and service changes for the CCTV Control Room, Network, and monitoring service.</i></p> <p><i>(i) To express views regards the jointly owned company, Hertfordshire CCTV Ltd, to be channelled through the CCTV Officer Management Board.</i></p> <p><i>(j) To make recommendations on any of the above to the Officer Management Board.</i></p>
Section 12				
12.1.2	Areas of remit	SD:L&C	Change of wording to reflect correct team title post reorganisation May 2019.	<p>Proposal <i>Community Development revised to Community “Engagement”.</i></p>
Section 14				
14.6.9 (b)(iii)(A) - see section 9 above also	Grants	Cllr Stears-Handscomb; Cllr David Levett & SD: L&C	Financial assistance – need to revise wording to reflect changes under Grants Policy and also in relation to Capital and Revenue Grants Panel	<p>Current wording for SD:L&C delegation: <i>“financial assistance and grants to external organisations, and voluntary sector and community group development (including although not limited to capital grants following capital grant panel deliberations).”</i></p> <p>Proposed wording: <i>“financial assistance and grants to external organisations, and voluntary sector and community groups development (including although not</i></p>

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			Executive Member delegation to include making the grants following capital (and revenue) grant panel, and in between Area Committees, in consultation with others.	<p><i>limited to capital or revenue grants. following capital grant panel deliberations.</i></p> <p><u>New no 5 Executive Delegation</u> <i>“To approve Grants under the Grants Policy following capital and / or revenue grant panel deliberations, or between Area Committee meeting requirements, having consulted the Chair or Vice Chair of the relevant Area Committee (where applicable), and Service Director: Legal and Community.”</i></p>
14.6.11 (b)(ii)	Building Control	SD: Regulatory	Make the Building Control client side work clearer in terms of the delegation.	<p><u>Proposed wording:</u> <i>“including <u>client-side Building Control company operational matters as required under any agreements, in addition to all activities relating to discharge of the Council’s function as the Local Building Regulation Authority</u>”</i></p>
14.6.11(b) (iv)	Enforcement function	SD: Regulatory	Add Environmental Health “ <i>and enforcement functions</i> ” to mirror (v) Environmental protection and enforcement functions. This then reflects 12.1.2.	<p><u>Proposed:</u> To make the changes.</p>
14.6.18 – see section 5	‘Deputy’ Executive Members	Cllr Carol Stanier; & Cllr Ruth Brown	To include a definition in the Constitution. <i>See Cllr Strong suggested title section 5 – Administrative Observer. If this alternative approved, this will be amended also.</i>	This is not a formal decision making position within the Executive under the provisions of the Local Government Act 2000. The definition can therefore define the role at the same time as making that clear. <p><u>Proposed new 14.6.18 (& renumber subsequent):</u> <i>“In a joint administration a ‘deputy’ to an Executive portfolio holder may be appointed. That deputy will be invited to attend relevant meetings of the Executive (formal or informal) where executive functions are discussed, give their opinion and for this to be taken</i></p>

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				<i>into account by the Executive decision maker or Cabinet, although they are not formally part of the Cabinet Executive nor an Executive decision maker. This does not apply to the Deputy Leader who is appointed to acts as per section 5.4.”</i>
Section 20				
	Contract Procedure Rules	Annual review	Subject to a separate report and referral. To pick up any recommendation of Cabinet on HTH review and Finance Audit and Risk referral to Council.	See relevant report item.