

Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	Article 5.2	<p>The Chair will ensure that as far as possible Council meetings provide a forum for debate of matters of concern to the local community and, in particular, provide opportunities for the Cabinet to be held to account by other councillors.</p>	<p><i>“The Chair will impartially preside over meetings of the Council and in doing so will seek to ensure that the business is transacted efficiently and with due regard to the rights of councillors, officers and the interests of the community.”</i></p>
		<p>Reason for proposed change:</p> <p>To reflect established practice within meetings, in line with legal advice received.</p>	

Implications of proposed change (to be completed by officers):

- **Finance and other resource implications:**

- **Legal implications:**

Article 5 of the Constitution deals with “Chairing the Council” and amongst other things sets out the responsibilities of the Chair. It includes the following: -

“The Chair will preside over meetings of the Council and in doing so will seek to ensure that the business is transacted efficiently and with due regard to the rights of councillors, officers and the interests of the community.” and

“The Chair will ensure that as far as possible Council meetings provide a forum for debate of matters of concern to the local community and, in particular, provide opportunities for the Cabinet to be held to account by other councillors.”

The Chair will be responsible for upholding and promoting the purposes of the Constitution and in consultation with the Monitoring Officer, to interpret the Constitution where necessary.

There is no legal reason why the Constitution cannot be amended so that the first paragraph of section 2 of Article 5 “Council Meetings” reads as follows: -

*“The Chair will **impartially** preside over meetings of the Council and in doing so will seek to ensure that the business is transacted efficiently and with due regard to the rights of councillors, officers and the interests of the community.*

- **Consultation/Engagement undertaken (internal and external):**

- **Human Rights implications:**

- **Equalities and Diversity implications:**

There are no equality and diversity implications'

- **Risk Management implications:**

- **Crime and Disorder implications:**

- **Environment and Sustainability implications:**

Proposed by: Constitution Task Group on 25 April 2023 (modifying an alternative suggestion submitted to the Task Group)