



**Cabinet recommendations for consideration by Council  
at the Meeting of the Council on Wednesday, 17 October 2012**

**Cabinet – 1 October 2012**

**71 Recommendations of the Constitution Working Party**

The Cabinet considered Report No 170/12 relating to the recommendations of the Constitution Working Party meetings held on 21 June 2012 and 23 August 2012 in respect of proposed changes to the Council's Constitution.

The Working Party was established at the Annual Meeting of the Council on 9 May 2012 at which Council had agreed some changes to the Financial Procedure Rules which were set out in the Constitution. In doing so, it also agreed that the Working Party review those changes and that any subsequent recommended changes thereto, as identified by the Working Party, be referred to Cabinet for consideration.

The remit of the Working Party had been agreed by Cabinet at its meeting on 12 July 2012, details of which were set out in paragraph 5 of the Report.

To date, the Working Party had met on two occasions at which it had considered several issues in so far as they related to the Constitution, details of which were set out in paragraph 6 of the Report.

In accordance with the Working Party's remit, the recommendations set out in the Report had been reported to the Leader of the Council initially, and were being referred to Cabinet prior to consideration by Council.

Recommended:

- 71.1** That the Corporate Head - Legal and Democratic Services be authorised to include, in an appropriate part of the Council's Constitution, an explanation of the term "the Executive", so as to make clear that this can mean the Leader, a Lead Councillor, an Officer or Cabinet, depending on the context and on the delegation

CHLDS

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|             | arrangements made for a particular decision;   |       |
| <b>71.2</b> | That reference to the "Leader of the Council" be amended to read the "Executive" at points in the Constitution where the context makes this more appropriate;  | CHLDS |
| <b>71.3</b> | That paragraphs 2.3; 2.4; 3.4.2; 3.6.1 and 3.7 of Part 4 of the Constitution relating to the Financial Procedure Rules be amended as set out in the tracked changes at Appendix A to Report No 170/12;   | CHLDS |
| <b>71.4</b> | That the text set out at Appendix B to the Report entitled "Leader and Cabinet Executive", that sets out details relating to those functions, be approved and be inserted at an appropriate point in the Council's Constitution (possibly immediately following Article 2), subject to the addition of a footnote setting out reference to the relevant legislation which introduced this model of governance; | CHLDS |
| <b>71.5</b> | That the tracked changes to paragraph 16 of the Scrutiny Procedure Rules, as set out at Appendix C to the Report, be approved and be included in the Constitution;   | CHLDS |
| <b>71.6</b> | That paragraph 17 of the Scrutiny Procedure Rules relating to Call-in and Urgency, as set out at Appendix D to the Report, be amended by the addition of text which makes cross-reference to the reasons for such urgency that can be found elsewhere in the Constitution;   | CHLDS |
| <b>71.7</b> | That a chapter(s) be added to the Constitution which sets out definitions of terms used therein;   | CHLDS |
| <b>71.8</b> | That reference be added to page Y14 of the Constitution Index which refers to "Urgency" being on page H8 of the Constitution document; and   | CHLDS |
| <b>71.9</b> | That the Protocol on Key Decisions, as set out in the Constitution, be amended as set out in the tracked changes at Appendix E to the Report.  | CHLDS |

Reason for the Decisions:

To implement recommended changes to the Council's Constitution.

† *Councillors are requested to bring with them to the meeting Report No 170/12 which was circulated with the agenda papers for the meeting of the Cabinet on 1 October 2012. If you require a further copy of the document please contact Trevor Hayward, Committee Officer, on e-mail [trevor.hayward@lewes.gov.uk](mailto:trevor.hayward@lewes.gov.uk) or telephone 01273 484122*