

# West Suffolk Council Constitution: proposed amendments

<b>Report number:</b>	<b>COU/WS/24/015</b>	
<b>Report to and date:</b>	<b>Council</b>	16 July 2024
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**Decisions Plan:** **Not applicable as this is not an executive matter.**

**Wards impacted:** **All wards**

**Recommendation:** **It is recommended that Council:**

- 1. Approves the amendments to the Sex Establishments: Schedule of Delegated Authority (Table: B3, Part 3 – Section 2 – Responsibility for Council (Non-Executive) Functions of the Constitution.**
- 2. Approves the amendments to the Process for developing the budget framework (Paragraph 3.1(c)(iii) Part 4 – Budget and Policy Framework Procedure Rules) of the Constitution.**

## 1. Context to this report

- 1.1 The Constitution Review Group periodically meets to review the effectiveness of the Constitution, identifying any areas that could be developed further to improve the way the Council makes decisions, ensuring that processes are efficient and transparent.

## 2. Proposals within this report

- 2.1 The Constitution Review Group met on 19 June 2024 to consider areas within the Constitution to recommend for amendment.

2.2 **Proposed amendments to the Sex Establishments: Schedule of Delegated Authority (Table: B3, Part 3 – Section 2 – Responsibility for Council (Non Executive) Functions**

It is proposed that the Sex Establishments Schedule of Delegated Authority is amended to require Officers to consult with the Chair and Vice-Chair of the Licensing and Regulatory Committee when:

- Determining an application for the grant of any type of Sex Establishment Licence if a relevant objection has been received or Officers have concerns in respect of the application or characteristics of the locality;
- Deciding upon whether an objection is repetitive, frivolous or vexatious; and
- Deciding whether an objection is irrelevant.

As set out in the Appendix 1 to this report.

2.3 **Amendments to the Process for developing the budget framework (Paragraph 3.1(c)(iii) Part 4 – Budget and Policy Framework Procedure Rules)**

Paragraph 3.1(c)(iii) of the Process for developing the budget framework currently states:

*All potential amendments to the budget must be assessed for their financial implications prior to the Council meeting to comply with Financial Procedures. To avoid any problems arising from this requirement, all proposed amendments to the budget will therefore be notified in advance to the Chief Executive and S151 Officer, **at least five clear working days** before the Council meeting.*

It is recognised that the report setting out the final budget is not published until five clear days before the Council meeting. It is therefore proposed that this paragraph is amended as follows to enable members to consider the report and present their proposed amendments:

*All potential amendments to the budget must be assessed for their financial implications prior to the Council meeting to comply with Financial Procedures. To avoid any problems arising from this requirement, all proposed amendments to the budget will therefore be notified in advance to the Chief Executive and S151 Officer, **at least three clear working days** before the Council meeting.*

### **3. Alternative options that have been considered**

- 3.1 No specific other options have been considered other than not to make the changes.

### **4. Consultation and engagement undertaken**

- 4.1 The recommendations have been developed by the Constitution Review Group

### **5. Risks associated with the proposals**

- 5.1 There are no specific risks involved with making this decision.

### **6. Implications arising from the proposals**

- 6.1 None

### **7. Appendices referenced in this report**

- 7.1 Appendix 1 – Proposed amendments to the Sex Establishments: Schedule of Delegated Authority (Table: B3, Part 3 – Section 2 – Responsibility for Council (Non Executive) Functions

### **8. Background documents associated with this report**

- 8.1 None