

Schedule of Minor Changes to be made to the Constitution

Part	Section	Paragraph	Amendment
1	Summary	[list of Articles]	<ul style="list-style-type: none"> The Audit & Standards Committee Standards Hearing and Determination Committee (Article 9)
1	Summary	n/a	The Council is composed of 35 40 councillors elected every four years.
1	Summary	n/a	There are 2 3 scrutiny committees, which support the work of the Leader/Executive and the Council as a whole.
1	Summary	n/a	The Council welcomes participation by its citizens in its work. Citizens may obtain further information on their rights by contacting the Head of Legal & Democratic Services Executive Head of Corporate .
2	Article 2	2.1 (a)	The Council will comprise 35 40 members, otherwise called councillors.
2	Article 4	4.1 (a)	<p>Policy Framework</p> <p>The policy framework means the following plans and strategies:-</p> <ul style="list-style-type: none"> Community Plan; Crime and Disorder Reduction Strategy; Plans and strategies which together comprise the Development Plan, i.e. the Local Plan; Capital Strategy; Food Law Enforcement Service Plan; The strategy and plan which comprise the Housing Investment Programme Licensing Policy Gambling Policy
2	Article 6	6.3 (a) (iv)	<p>Policy Development and Review</p> <p>Scrutiny committees may: ...</p>

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			(iv) question members of the Executive and/or committees and the Chief Executive, Strategic Directors Executive Heads of Service or Heads of Service about their views on issues and proposals affecting Surrey Heath; and
2	Article 6	6.3 (b) (ii)	<p>Scrutiny</p> <p>Scrutiny committees may: ...</p> <p>(ii) question the Leader and members of the Executive and/or committees and the Chief Executive, Strategic Directors Executive Heads of Service, or Heads of Service about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;</p>
2	Article 7	7.1 (b)	<p>The Appointment of the Leader</p> <p>The Leader will be a councillor elected to the position by the Council. The Leader will hold office for four years from the first annual meeting of the Council following the Borough Council elections, expiring on the day of the post election annual meeting which follows his/her election as Leader, unless, at an earlier date:</p> <p>(a) he/she resigns from the office; or</p> <p>(b) he/she is suspended from being a councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or</p> <p>(c) he/she is no longer a councillor; or</p> <p>(d) he/she is removed from office by resolution of the Council.</p>

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		7.3 (c)	<p>If there is a vacancy in the position of Leader, the Leader will be elected at the first meeting of the Council following such vacancy for a term of office expiring on the day of the post election annual meeting which follows his/her election, subject to (a) to (cd) above.</p> <p>The Appointment of the Deputy Leader</p> <p>The Deputy Leader will be a councillor appointed to the position of Deputy Leader by the Leader. The Deputy Leader will hold office until the end of the term of office of the Leader, or until:</p> <p>(a) he/she is removed from office by decision of the Leader; or</p> <p>(b) he/she resigns from the office; or</p> <p>(c) he/she is suspended from being a councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or</p> <p>(d) he/she is no longer a councillor.</p>
		7.6 (c)	<p>The Appointment of Executive Members</p> <p>Executive Members will be appointed by the Leader. They will hold office until the day of the post election annual meeting or until:</p> <p>(a) they are removed from office, either individually or collectively, by decision of the Leader; or.</p> <p>(b) they resign from office; or</p>

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			<p>(c) they are suspended from being councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or</p> <p>(d) they are no longer councillors.</p>
2	Article 8	8.1	<p>The Council will appoint the following committees as referred to in the left hand column of the table Responsibility for Council Functions in Part 3 of this Constitution to discharge the functions described in column 3 of that table:</p> <p>Planning Applications Committee Licensing Committee Employment Committee</p>
2	Article 14	14.2	<p>Contracts</p> <p>Every contract made by the Council will comply with the Contract Standing Orders Contracts Procedure Rules set out in 4 of this Constitution.</p>
2	Article 14	14.3 and 14.5	<p>Legal proceedings</p> <p>The Head of Legal & Democratic Services is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Head of Legal & Democratic Services considers that such action is necessary to protect the Council's interests.</p> <p>Common Seal of the Council</p> <p>The Common Seal of the Council will be kept in a safe place in the custody of the Head of Legal & Democratic Services. A decision of the Council, or of any part of it, will be</p>

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			sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be attached to those documents which in the opinion of the Chief Executive should be sealed. The attaching of the Common Seal will be witnessed by the Head of Legal & Democratic Services or Chief Executive or some other person authorised by him/her or the Council.
2	Article 14	14.4	<p>Authentication of documents</p> <p>Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Chief Executive, Monitoring Officer, chief officer, Strategic Director Executive Head of Service or Head of Service or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.</p>
2	Article 15	15.2	<p>Apart from the following exceptions, changes to the Constitution will only be approved by the full Council</p> <p>the Head of Legal & Democratic Services Executive Head of Corporate who is authorised to amend the Constitution, including the Scheme of Delegation of Functions to Officers</p> <ul style="list-style-type: none"> (i) in respect of the officers designated to exercise delegated authorities, where changes in the management structure and post titles have resulted from organisational restructures, (ii) to make changes which result from requirements of new legislation or statutory guidance, (iii) and any corrections due to administrative error or oversight, in line with the most recent decision of the Council. <p>The Council must take reasonable steps to consult local electors and other interested persons in the area, and comply with legislative requirements, when drawing up proposals</p>

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			to change from a leader and cabinet form of Executive to an elected mayor and cabinet, or vice versa, or to the committee system.
3	A – Scheme of Delegation	Table 3	Removing reference to the Sustainable Community Strategy and Crime and Disorder Reduction Strategy (locally known as the Surrey Heath Community Safety Strategy).
4	D- Committees, Sub Committees and Other Bodies Procedure Rules	1	These Rules do not apply to the Executive except for Rules 23 to 29 24 to 33 relating to Working Groups. Procedure Rules for the Executive and Scrutiny Committees are already included in the Constitution elsewhere in Part 4.
4	E – Public Speaking Procedure Rules	3.1, 3.4, 3.8, 3.9, 3.10	Questions by the Public at Council Meetings All references to the Executive Head of Corporate to be amended to the Head of Legal & Democratic Services.
4	E – Public Speaking Procedure Rules	5 5.1 5.3	Determination of Planning Applications by Full Council The Council has reserved to itself the power, in exceptional circumstances, to determine large-scale planning applications relating to land owned by the Council, or elsewhere if the proposed development is likely to have a very significant impact on the community, as determined by the Head of Planning Executive Head of Regulatory , after consultation with the Leader of the Council and Chairman of the Planning Applications Committee. The number of speakers both in objection to and in support of the application will be determined by the Head of Legal & Democratic Services Executive Head of Corporate after consultation with the Leader of the Council.
4	E – Public Speaking	6	Public Speaking at Planning Applications Committee

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	Procedure Rules	6.8 6.12	<p>Only those persons from addresses within the vicinity of the site will be eligible to speak at the meeting. The vicinity will vary according to the nature of the proposed development and its potential impact on the community. The Head of Planning Executive Head of Regulatory will determine the circumstances in which this will apply.</p> <p>In the event that the application of the above Procedure Rules do not apply or would result in unfairness, the Head of Legal & Democratic Services Executive for Head of Corporate, after consultation with the Chairman of the Planning Applications Committee, be authorised to exercise discretion in agreeing the allocation of the public speaking slots in relation to any particular planning application</p>
4	F – Access to Information Procedure Rules	1	<p>Scope</p> <p>These rules apply to all meetings of the Council, overview and scrutiny committees, area committees (if any), the Audit & Standards Standards Hearing and Determination Committee, the Employment Committee, regulatory committees and meetings of the Executive (together called meetings).</p>
4	F – Access to Information Procedure Rules	20 onwards	Corrections to paragraph numbering from Paragraph 20 onwards and any cross references.
4	G – Budget & Policy Framework	2.2	<p>Process for Developing the Framework</p> <p>The Forward Plan will be published on the Council’s Web Site and updated at the beginning of each month. All councillors will be notified of the publication of the Forward Plan. This notification may be by e-mail. The consultation period allowed shall in each instance be not less than 4 weeks.</p>

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4	K – Substitution Procedure Rules	2.1	<p>Application</p> <p>The scheme will apply to all committees, sub-committees and working groups except</p> <ul style="list-style-type: none"> (i) the Executive and any Executive sub-committee; (ii) the Licensing Committee when dealing with matters within the scope of the Licensing Act 2003; and (ii) the Licensing Sub-Committees of the Licensing Committee and the Appeals Panel , Standards Sub-Committees, and the 3 sub-committees of the Employment Committee, whose members and substitute members are appointed by officers under the Scheme of Delegation of Functions to Officers.
		2.2 [new]	<p>The Committees, Sub Committees and Other Bodies Procedure Rules provide for substitute members of the Audit & Standards Committee and the Employment Committee to participate in sub committees in certain circumstances.</p>
4	K – Substitution Procedure Rules	5.2	<p>Voting</p> <p>No substitute member for the Planning Applications Committee or any other committee or sub committee making quasi-judicial decisions or the Appointments Committee may vote unless he or she has been present for the entire consideration of the item under discussion.</p>
4	L – Petitions Scheme	1.2	<p>Introduction</p> <p>A petition will be treated as such if it is identified as being a petition, or if it seems to the Head of Legal & Democratic Services Executive Head of Corporate that it is intended to be a petition. A petition created both on-line and on paper will only be treated as being a</p>

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			single petition if the action requested is identical. The paper element of the petition must be received by the Council before the date of the closure of the on-line element.
4	L – Petitions Scheme	5.1	A petition containing 500 750 or more signatures will be debated by either the Full Council the Executive, or relevant standing Committee depending on the issue. This will usually be at the next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.
4	L – Petitions Scheme	5.2	The Council, or the Executive or relevant standing Committee will decide how to respond to the petition at this meeting.
5	B – Member and Officer Protocol	3.3	Code of Conduct for Officers Officers are responsible to the authority through their Strategic Director Executive Head of Service or Head of Service and must follow every lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.
5	B – Member and Officer Protocol	4.3, 4.11, 5.2, 5.3, 6.5, 7.1,	All references to Executive Head of Service to be amended to Strategic Director.
5	E – Monitoring Officer Protocol	2	The current responsibilities of the Monitoring Officer role rest with the Head of Legal & Democratic Services
5	E – Monitoring Officer Protocol	7 (b)	have advance notice (including receiving Agendas, Minutes, Reports and related papers) of all relevant meetings of the Council at which a binding decision of the Council may be made (including a failure to take a decision where one should have been taken) at or before the Council, Leader/Executive, Portfolio Holder, Committee meetings and/or Corporate Management Team Management Board /(or equivalent arrangements);
5	E – Monitoring Officer Protocol	7 (e), (f), (g) , 8	All references to the Executive Head of Finance to be changed to the Strategic Director of Finance & Customer Services.

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6	Members' Allowances Scheme	2	The basic allowance, Special Responsibility Allowances, and Dependants' Carers' Allowance will be increased in line with the percentage increase in staff pay awards until 2024, at which time an Independent Remuneration Panel will review the Scheme.
6	Members' Allowances Scheme	8, 11 (ii)	All references to the Executive Head of Corporate to be amended to the Head of Legal & Democratic Services.