

Crawley Borough Council

	Report No: LDS/30	B
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Report to General Purposes Committee

14 March 2011

Review of Democratic Structures and Constitutional Changes

1. Key Points

- 1.1. This report considers whether any changes are required in 2011/12 to the Council's Democratic Structures.
- 1.2. It is also usual, at this time of year, for a full review of the Constitution to be carried out prior to the start of the new municipal year and this report proposes certain revisions (including changes to Part 3 of the document – Responsibility for Functions).
- 1.3. Finally, the requirement to monitor the operation of the provisions relating to Call-In and urgency on an annual basis as required in Scrutiny Procedure Rule 14(k) is also addressed in this report. The purpose of such monitoring is to ensure that the procedure is not being abused.

2. Recommendations

2.1 To recommend to the Full Council:

- (a) that, subject to any comments received from the Cabinet with regard to its functions, the amendments to the Constitution proposed in Appendix 1 to this report be agreed;
- (b) to agree that since the provisions relating to Call-In and urgency have not been used during the past twelve months, no change to the provisions is necessary at this stage.

ANN-MARIA BROWN
Head of Legal and Democratic Services

3. Background

- 3.1. To fulfil the requirements of Article 15.1 of the Constitution, the Council must monitor and review the operation of its Democratic Structures and of the Constitution to ensure that its aims and principles are given effect.
- 3.2. In addition, Scrutiny Procedure Rule 14(k) requires that the operation of the provisions relating to Call-In and urgency should be monitored annually and a report submitted to the Council with proposals for review, if necessary.

4. Review of Structures and Constitutional Changes

- 4.1. On the whole, the current Democratic Structure arrangements appear to be operating reasonably satisfactorily and therefore no major changes are proposed.
- 4.2. This having been said, as part of the overall annual review of the Constitution document, Appendix 1 to this report proposes certain changes for consideration by the Committee.

5. Operation of the Provisions Relating to Call-In and Urgency

- 5.1. There have been no cases, during the period since the last report, where an item has been protected from the Call-In procedure on the grounds of urgency as provided for in Scrutiny Procedure Rule 14(j).

6. Staffing, Equalities, Financial and Legal Implications/Powers

- 6.1 There are no staffing or financial implications arising from these changes to the Constitution. It has not been necessary to complete an Equality Impact Assessment.

7. Risk Implications

- 7.1 None.

8. Environmental Impacts

- 8.1 There are no environmental impacts arising from these changes to the Constitution.

9. Links to the Sustainable Community Strategy and Corporate Plan

9.1 The proposals contained in this report relate to the following key areas of the Sustainable Community Strategy:

Community Cohesion	Community Safety	
Young People and Children	Health and Well Being	
Older People	The Environment	
The Local Economy	Social Inclusion	y

The following key principles are applicable:-

(i) Working together	y
(ii) Dignity, respect and opportunities for all	
(iii) Involving People	y
(iv) Making it last	

The report relates to the following areas in which the Council operates to enhance the town and the quality of life of local people:-

(i) Prosperity	y
(ii) Community	y
(iii) Environment	y
(iv) Value for Money	y

10. Reasons for the Recommendation

10.1 To comply with Article 15.1 of the Constitution and Scrutiny Procedure Rule 14(k).

11. Background Papers

The Council's Constitution.

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CHANGES TO THE CONSTITUTION

Function	Proposed amendment	Reason for amendment
<p>Article 2: Members of the Council – Page 12 (Mez Matthews)</p>	<p>Amend the title of paragraph 2.4 to read as follows: “2.4 The Role of a Committee Chairman”</p>	<p>To ensure consistency within the Constitution. Deleted wording crossed through.</p>
<p>Article 14: Finance, Contract and Legal Matters – Page 42 (Mez Matthews)</p>	<p>Amend bullet point (3) of paragraph 14.3 (Legal Proceedings) to read as follows: “(3) or in any case where the Head of Legal and Democratic Services considers that such action is necessary to protect the Council’s interests; subject to reports being submitted to the Cabinet Member or relevant Committee Chairman by the Head of Legal and Democratic Services in relation to particularly significant cases (or by the Head of Finance and Procurement in respect of significant insurance-related cases). Subject to any specific delegation, the Head of Legal and Democratic Services is also authorised to give a formal caution as opposed to prosecution where this would be appropriate, subject to consultation with the relevant Cabinet Member/Chairman and Head of Service as to whether this would be the appropriate course of action. The Head of Legal and Democratic Services may authorise employees to appear in the Magistrates’ Court and County Courts pursuant to Section 223 of the Local Government Act 1972 and Section 60 of the County Courts Act 1984.”</p>	<p>To ensure consistency within the Constitution. Deleted wording crossed through.</p>

Function	Proposed amendment	Reason for amendment
<p>Local Choice Functions – Page 52 (Lucasta Grayson)</p>	<p>Amend the second delegation of function 1 to read as follows: <u>“The following function is delegated to the relevant Director/Head of Service:-</u> Appeals against grievances (Appeals will only go forward to the Staff Appeals Board in limited circumstances as outlined in the Council’s Grievance Procedure)”</p>	<p>To reflect Council policy. Amended wording in bold.</p>
<p>Local Choice Functions – Page 52 (Lucasta Grayson)</p>	<p>Amend the third delegation of function 1 to read as follows: <u>“The following function is delegated to the Director/Head of Service or a Senior Manager and Members of the Human Resources Team:</u> Appeals against gradings”</p>	<p>To reflect current practice. Amended wording in bold.</p>
<p>Functions of the Development Control Committee – Page 80 (Mez Matthews)</p>	<p>Amend function (11)(b) to read as follows: <u>“The following function is delegated to the Head of Planning and Environmental Services or the Head of Legal and Democratic Services (after consultation with the Chair) man</u> (b) The service of Stop Notices under S183 of the Town and Country Planning Act 1990”</p>	<p>To ensure consistency within the Constitution. Deleted wording crossed through.</p>

Function	Proposed amendment	Reason for amendment
<p>Functions of the Licensing Committee – Page 91</p> <p>(Mez Matthews)</p>	<p>Amend function (3)(d) to read as follows:</p> <p><u>“The following function is delegated to the Head of Planning and Environmental Services in consultation with the Chairman of the Licensing Committee</u></p> <p>(d) Determination as to whether a formal caution is the appropriate course of action in respect of offences under the Taxi and Private Hire provisions of the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act, 1847”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>
<p>Functions of the Licensing Committee – Page 93</p> <p>(Astrid Williams)</p>	<p>Amend function (12) to read as follows:</p> <p>“(12) Power to license sex establishments.</p> <p><u>The following function is delegated to the Head of Planning and Environmental Services</u></p> <p>Power to license sex establishments in accordance with the Council’s Policy where no objection has been lodged.”</p>	<p>To reflect the requirements of the amendments to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 made by Section 27 of the Policing and Crime Act 2009.</p> <p>Amended wording in bold.</p>
<p>Functions of the Licensing Committee – Page 94</p> <p>(Mez Matthews)</p>	<p>Amend function (16)(c) to read as follows:</p> <p><u>“The following functions are delegated to the Head of Planning and Environmental Services</u></p> <p>(c) Waiver of street trading consent charge where the organisation has charitable status, otherwise in cases of doubt in consultation with the Chairman”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p> <p>Amended wording in bold.</p>

Function	Proposed amendment	Reason for amendment
<p>Functions of the Licensing Committee – Page 100</p> <p>(Mez Matthews)</p>	<p>Amend function (42)(d) to read as follows:</p> <p><u>“The following function is delegated to the Head of Legal and Democratic Services in consultation with the Chairman and Head of Planning and Environmental Services</u></p> <p>(d) Determination as to whether a formal caution is the appropriate course of action in respect of offences under the legislation referred to in paragraph (b) above.”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>
<p>Functions of the Licensing Committee – Page 102</p> <p>(Mez Matthews)</p>	<p>Amend function (50)(c) to read as follows:</p> <p><u>“The following function is delegated to the Head of Legal and Democratic Services in consultation with the Chairman and Head of Planning and Environmental Services</u></p> <p>(c) Determination as to whether a formal caution is the appropriate course of action in respect of offences under the legislation referred to in paragraph (a) above”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>
<p>Functions of the Standards Committee – Page 123</p> <p>(Lucasta Grayson)</p>	<p>Amend function 10 to read as follows:</p> <p><u>“The following function is delegated to the Head of People and Technology</u></p> <p>To make an adjustment to the list of politically-restricted posts to reflect changes in responsibilities.”</p>	<p>To reflect Directorate restructure and to reflect current practice.</p> <p>Amended wording in bold.</p>

Function	Proposed amendment	Reason for amendment
<p>Functions of the Appointments and Investigating Committee – Page 131</p> <p>(Lucasta Grayson)</p>	<p>Amend function 11 to read as follows:</p> <p><u>“The following function is delegated to the Head of People and Technology in consultation with the relevant Director/Head of Service</u> Granting of approved staff benefits to individual posts including essential car users’ schemes and reimbursement of professional subscriptions”</p>	<p>To reflect Directorate restructure.</p> <p>Amended wording in bold.</p> <p>Professional fees are endorsed by Line Managers as per Council policy.</p> <p>Deleted wording crossed through.</p>
<p>Functions of the Appointments and Investigating Committee – Page 132</p> <p>(Lucasta Grayson)</p>	<p>Delete the following function:</p> <p>“(14) <u>The following function is delegated to the Head of Human Resources and Development</u> Granting of additional or accelerated increments to staff as a result of examination success in accordance with a scheme approved by the Council”</p>	<p>No longer Council policy.</p>
<p>Functions of the Staff Appeals Board – Page 134</p> <p>(Lucasta Grayson)</p>	<p>Amend the second delegation of the Staff Appeals Board function to read as follows:</p> <p><u>“The following function is delegated to the relevant Director/ Head of Service:-</u> Appeals against grievances (Appeals will only go forward to the Staff Appeals Board in limited circumstances as outlined in the Council’s Grievance Procedure)”</p>	<p>To reflect Council policy.</p> <p>Amended wording in bold.</p>

Function	Proposed amendment	Reason for amendment
<p>* General Matters Delegated to Cabinet Members and Officers – Page 189</p> <p>(David Covill)</p>	<p>Amend function G12 to read as follows:</p> <p><u>“The following function is delegated to the Head of People and Technology in consultation with the Cabinet Member for Continuous Improvement and Development</u> Approval of applications for funding from the ICT Replacement Fund. Such approval is subject to adequate justification being made for the replacement of the item.”</p>	<p>To reflect the Directorate restructure.</p> <p>Amended wording in bold.</p>
<p>Council Procedure Rules – Page 217</p> <p>(Mez Matthews)</p>	<p>Amend the last paragraph of paragraph 7 (Chair of Meeting) to read as follows:</p> <p>“The person presiding at the meeting may exercise any power or duty of the Mayor. Where these rules apply to committee and sub-committee meetings, references to the Mayor also include the Chairman of committees and sub-committees.”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>
<p>Council Procedure Rules – Page 219</p> <p>(Mez Matthews)</p>	<p>Amend paragraph 10.3 (Written Questions) to read as follows:</p> <p>“Subject to Rule 10.4, a Member of the Council may ask:</p> <ul style="list-style-type: none"> • the Mayor; • a member of the Cabinet; <p>Or</p> <ul style="list-style-type: none"> • the Chairman of any Committee <p>a question on any matter in relation to which the Council has powers or duties or which affects the Borough”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>

Function	Proposed amendment	Reason for amendment
Council Procedure Rules – Page 221 (Mez Matthews)	Amend bullet point (a) of paragraph 13 (Motions and Amendments which may be Moved without Notice) to read as follows: “(a) to appoint a Chairman of the meeting at which the motion is moved;”	To ensure consistency within the Constitution. Deleted wording crossed through.
Council Procedure Rules – Page 225 (Mez Matthews)	Amend paragraph 15.15 (Committee Reports) to read as follows: “Any recommendations by a committee at the Council will be taken in numerical order, unless otherwise required, and for the purpose of any debate or amendment or other motion each recommendation shall be treated as if it was a separate motion by the Chairman of the committee or other Member moving the report that the same be adopted by the Council.”	To ensure consistency within the Constitution. Deleted wording crossed through.
Council Procedure Rules – Page 230 (Mez Matthews)	Amend bullet points (1) and (3) of paragraph 24.2 (Constitution of Committees and Sub-Committees) to read as follows: “(1) The Council shall at the Annual Meeting on the recommendation of the Membership Committee appoint the Leader of the Council, Chairsmen , Vice-Chairsmen and members of the standing committees and sub-committees. The Chair of the Standards Committee and any Sub-Committee of the Standards Committee shall be Independent Members. (3) The Council may at any time dissolve a committee, or change its Chairman or Vice-Chairman or alter its membership.”	Clerical correction. Deleted wording crossed through. Amended wording in bold.

Function	Proposed amendment	Reason for amendment
<p>Council Procedure Rules – Page 230</p> <p>(Mez Matthews)</p>	<p>Amend bullet point (1) of paragraph 24.3 (Meetings of Committees and Sub Committees) to read as follows:</p> <p>“(1) Subject to Council Procedure Rule 6, the Head of Legal and Democratic Services may summon special meetings of the Committees and Sub-Committees if he/she considers that urgent business is to be transacted. Subject as aforesaid he/she shall also at any time, at the request of (a) the Chairman of a committee or sub-committee, or (b) any three members of a committee or sub-committee signified by notice in writing, summon a special meeting of the committee or sub-committee. The summons to the special meeting shall set out the business to be considered thereat, and no business other than that set out in the summons shall be considered at that meeting.”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>
<p>Council Procedure Rules – Page 231</p> <p>(Mez Matthews)</p>	<p>Amend bullet point (4) of paragraph 24.4 (Sub-Committees) to read as follows:</p> <p>“(4) The Chairman of a Standing Committee shall be an ex-officio member of any Sub-Committee appointed by a Standing Committee unless they signify that they do not wish to serve.”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>

Function	Proposed amendment	Reason for amendment
<p>Council Procedure Rules – Page 232 (Mez Matthews)</p>	<p>Amend the last paragraph of paragraph 24.7 (Committee Meetings Open to all Members of the Council) to read as follows:</p> <p>“but is not entitled to take part in the proceedings unless (a) a member of the committee, or (b) specifically authorised by the Council, or (c) having prior to the meeting indicated their wish to the Chairman of the committee to speak on a particular item and/or the Chairman invites them to speak. A Member of the Council will not under any circumstances be entitled to vote at any meeting of a committee of which he/she is not a member.”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>
<p>Council Procedure Rules – Page 232 (Mez Matthews)</p>	<p>Insert the following wording to the end of paragraph 24.7 (Committee Meetings Open to All Members of the Council):</p> <p>“Where a Member of the Council has a prejudicial interest in any business of the Council, they may attend a meeting (including a meeting of the Overview and Scrutiny committee or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.”</p>	<p>For clarification purposes.</p>

Function	Proposed amendment	Reason for amendment
<p>Council Procedure Rules – Page 234</p> <p>(Mez Matthews)</p>	<p>Amend bullet points (1) and (2) of paragraph 25.4 (Urgent Action) to read as follows:</p> <p>“(1) If in his/her opinion urgent action is required in respect of any matter before a decision can be taken by the Council, or a committee or sub-committee having appropriate authority, the Chief Executive may after consultation with the appropriate Head of Service and with the agreement in writing of the Chairman or Vice-Chairman of the appropriate committee or sub-committee to which the matter is delegated, take a decision thereon and any necessary action in furtherance of the functions of the Council, the committee or sub-committee as appropriate in relation to that matter. If the decision is one which would normally be taken by the Full Council, the Chief Executive shall also consult with the Mayor in addition to the Chair or Vice-Chair of the appropriate committee.</p> <p>(2) In the event of the Chairman and Vice-Chairman of a committee or sub-committee as the case may be not being available for consultation, the Mayor shall be consulted in their stead.”</p>	<p>Clerical correction.</p> <p>Deleted wording crossed through.</p>
<p>Access to Information Procedure Rules – Page 247</p> <p>(Mez Matthews)</p>	<p>Amend the third paragraph of paragraph 17.1 to read as follows:</p> <p>“the Commission may require the Cabinet to submit a report to the Council within such reasonable time as the Commission specifies. The power to require a report rests with the Commission, but is also delegated to the Head of Legal and Democratic Services, who shall require such a report on behalf</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>

Function	Proposed amendment	Reason for amendment
Access to Information Procedure Rules – Page 247 (continued)	of the Commission when so requested by the Chairman or any 3 members. Alternatively the requirement may be raised by resolution passed at a meeting of the Overview and Scrutiny Commission.”	
Procurement Code – Page 341 (Jo Newton-Smith)	Amend the procurement route for goods and services contracts for total contract award values between £50,000 – EU Threshold to read as follows: “Invitation to tender, to at least four Tenderers by advertisement on the Council’s website and the West Sussex Opportunities Portal. and on www.supply2gov.co.uk . Other media can also be used.”	www.supply2gov.co.uk will cease to exist after 30 March 2011. Deleted wording crossed through.
Procurement Code – Page 341 (Jo Newton-Smith)	Amend the procurement route for goods and services contracts for total contract award values above the EU threshold to read as follows: “EU Procedure, or where this does not apply, invitation to tender to at least five Tenderers by advertisement on the Council’s website, the West Sussex Opportunities Portal and by advertisement in the Official European Journal. Other media may also be used . which achieves similar penetration of Potential Tenderers to at least five Tenderers.”	To reflect the current procurement procedures. Amended wording in bold. Deleted wording crossed through.

Function	Proposed amendment	Reason for amendment
Procurement Code – Page 342 (Jo Newton-Smith)	Amend the final bullet point of paragraph 5.3 (Use of Framework Agreements) to read as follows: “Ensure that the provisions for the Contract Award procedure detailed in the Framework Agreement are followed. In addition, the Council’s procedure Where no guidance is provided in the Framework Agreement the procedure detailed in Section 9 on Contract Award must be followed.”	To avoid misinterpretation. Amended wording in bold. Deleted wording crossed through.
Procurement Code – Page 345 (Jo Newton-Smith)	Amend the first sentence of paragraph 8.2.1 (Advertising of Tender Opportunities) to read as follows: “All local tender exercises must be advertised as a minimum on the Council’s website and the West Sussex Opportunities Portal, and on the Government’s Opportunities Portal www.supply2gov.co.uk via the Procurement Team.”	www.supply2gov.co.uk will cease to exist after 30 March 2011. Deleted wording crossed through. Amended wording in bold.
Procurement Code – Page 357 (Jo Newton-Smith)	Amend the procurement route for works contracts for total contract award values between £100,000 – EU Threshold to read as follows: “Invitation to tender by advertisement on the Council’s website and the West Sussex Opportunities Portal. and on www.supply2gov.co.uk . Additional media can be used. Tenders to at least four tenderers.”	www.supply2gov.co.uk will cease to exist after 30 March 2011. Deleted wording crossed through. Amended wording in bold.

Function	Proposed amendment	Reason for amendment
Procurement Code – Page 352 (Mez Matthews)	Amend paragraph 9.2.1 (Call-In Procedure) to read as follows: “Acceptance of tenders between £200,000 and £400,000 (or between £500,000 and £1m in the case of tenders for works contracts) is subject to Call-In under the Council’s Scrutiny Procedure Rule 14 (a) to (i). See the Procurement Toolkit and/or refer to the Head of Legal and Democratic Services for further advice.”	Clerical Correction. Amended wording in bold.
Councillors’ Code of Conduct – Page 384 (Mez Matthews)	Amend bullet point (a)(ix) of paragraph 2 (Consent Regimes) to read as follows: “(ix) other unsolicited gifts, where it is impracticable to return them to the person or organisation making the gift, provided that the Councillor deals with the gift strictly in accordance with the following procedure: The Councillor must, as soon as practicable after the receipt of the gift, pass it to the Secretary to the Mayor/ Chairman of the Council together with a written statement identifying the information set out in Paragraphs 2(b) below. The Secretary will then write to the person or organisation making the gift thanking them on your behalf for the gift and informing them that you have donated the gift to the Mayor’s/ Chairman’s Charity Fund, on whose behalf it will be raffled or otherwise disposed of in due course, the proceeds being devoted to a charitable cause chosen by the Mayor/ Chairman .”	To ensure consistency within the Constitution. Deleted wording crossed through.

Function	Proposed amendment	Reason for amendment
<p>Protocol on Member / Employee Relations – Page 425</p> <p>(Mez Matthews)</p>	<p>Amend the second paragraph of paragraph 15 (Press Releases) to read as follows:</p> <p>“All media enquiries coming in to the Council’s offices should be passed immediately to the Communications Division. Where appropriate the Communications Division will contact the appropriate Cabinet Member, Committee Chairman, Director or Head of Service, whenever possible, to provide a timely response.”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>
<p>Licensing Procedure – Page 448</p> <p>(Mez Matthews)</p>	<p>Amend bullet point (B)(g) of the Introduction to read as follows:</p> <p>“(B) Parties who may be heard in respect of any licensing matter before the Committee: (g) any other person the Chairman of the Committee may permit to speak.”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>
<p>Standards Committee Determinations – Page 456</p> <p>(Mez Matthews)</p>	<p>Amend the first sentence of paragraph 7 to read as follows:</p> <p>“Any written communications received by the Chairman of the Assessment Sub-Committee that appear in any way to contain allegations that a Subject Member has failed, or may have failed, to comply with the Code of Conduct will, on receipt, be referred to the Monitoring Officer.”</p>	<p>To ensure consistency within the Constitution.</p> <p>Deleted wording crossed through.</p>

Function	Proposed amendment	Reason for amendment
Standards Committee Determinations – Page 456 (Mez Matthews)	Amend the second sentence of paragraph 8 to read as follows: “If the complaint is addressed in writing to the Monitoring Officer instead of the Chairman of the Assessment Sub-Committee, the Monitoring Officer will decide whether the complaint should be submitted to the Sub-Committee or whether another course of action is appropriate.”	To ensure consistency within the Constitution. Deleted wording crossed through.
Standards Committee Determinations – Page 486 (Mez Matthews)	Amend paragraph 3.3 to read as follows: “There is no requirement for fixed membership or a fixed Chairman of the Hearing Sub-Committee. Subject to ensuring no conflicts of interest, a form of ‘floating’ or ‘pool’ membership, drawn from the membership of the Standards Committee, will be implemented.”	To ensure consistency within the Constitution. Deleted wording crossed through.
Standards Committee Determinations – Page 487 (Mez Matthews)	Amend bullet point (e) of paragraph 3.10 (Public/Press Admittance to Hearing Sub-Committee Meetings) to read as follows: “(e) Where evidence is heard in private, persons attending the hearing will be advised by the Chairman not to disclose or quote in public, the contents of any agenda, report or other document which is marked ‘confidential’ or ‘not for publication’ unless or until the document has been made available to the public or the press by or on behalf of the Authority.”	To ensure consistency within the Constitution. Deleted wording crossed through.

Function	Proposed amendment	Reason for amendment
Standards Committee Determinations – Page 488 (Mez Matthews)	Amend bullet point (a) of paragraph 3.14 (Representative) to read as follows: “(a) The Subject Member may choose to be represented at the Hearing Sub-Committee by a lawyer or, with the prior consent of the Chairman (and subsequently endorsed by the Sub-Committee), by any other person e.g. a fellow Councillor, friend or colleague.”	To ensure consistency within the Constitution. Deleted wording crossed through.
Standards Committee Determinations – Page 490 (Mez Matthews)	Amend bullet points (3)(iv) and (3)(vi)(a) and (b) of paragraph 3.18 (The Conduct of Proceedings) to read as follows: “(iv) introduction by the Chairman of members of the Sub-Committee, the Monitoring Officer, Investigating Officer, Legal Advisor, Complainant and the Subject Member and his/her representative. (vi) Presentation by the Monitoring Officer of the summary of the Investigating Officer’s Report (a) The Chairman will invite the Monitoring Officer to present his/her summary of the Investigating Officer’s Report. The Monitoring Officer will highlight whether there is prior written notice from the Subject Member of any significant disagreement(s) as to the facts contained in the Investigating Officer’s Report. (b) The Chairman will then invite the Subject Member to confirm that the Monitoring Officer’s summary is an accurate assessment of the position.”	To ensure consistency within the Constitution. Deleted wording crossed through.

Function	Proposed amendment	Reason for amendment
Standards Committee Determinations – Page 492 (Mez Matthews)	Amend the last sentence of bullet point (3)(e) of paragraph 3.19 (Presentation of Evidence) to read as follows: “* The Chairman may request that questions be directed through him/her.”	To ensure consistency within the Constitution. Deleted wording crossed through.
Standards Committee Determinations – Page 496 (Mez Matthews)	Amend bullet point (4) of paragraph 3.21.3 (Deliberation/ Determination as to Whether there has been a Breach of the Code of Conduct) to read as follows: “Having deliberated on its decision(s) and/or recommendation(s) to the Authority, the Sub-Committee will reconvene the hearing in public and the Chairman will announce the Sub-Committee’s principal findings of fact and the Sub-Committee’s decision(s) as to whether or not the Subject Member has breached the Authority’s Code of Conduct [section 3.21.5 of this Procedure] including any recommendation(s) to the Authority.”	To ensure consistency within the Constitution. Deleted wording crossed through.
Standards Committee Determinations – Page 496 (Mez Matthews)	Amend paragraph 3.21.4 (Identification During the Hearing of Other Potential Breach(es) to read as follows: “It is possible that evidence presented to the Hearing Sub-Committee may highlight other potential breaches of the Authority’s Code of Conduct. In the circumstances, the Chairman will outline the Sub-Committee’s concerns and recommend that the matter be referred to the Assessment Sub-Committee as a ‘new complaint’.”	To ensure consistency within the Constitution. Deleted wording crossed through.

Function	Proposed amendment	Reason for amendment
Standards Committee Determinations – Page 497 (Mez Matthews)	Amend bullet point (2)(c) of paragraph 3.21.5 (Decision-Making by the Hearing Sub-Committee) to read as follows: “(c) Having heard the representations, the Sub-Committee will adjourn and consider the recommendation(s) in private. After due deliberation, the Sub-Committee will reconvene the hearing in public and the Chairman will announce the Sub-Committee’s recommendation(s) to the Authority.”	To ensure consistency within the Constitution. Deleted wording crossed through.
Standards Committee Determinations – Page 498 (Mez Matthews)	Amend the first sentence of bullet point (3)(7) of paragraph 3.21.5 (Decision-Making by the Hearing Sub-Committee) to read as follows: “(7) At the conclusion of its deliberations, the Sub-Committee will reconvene the hearing in public and the Chairman will...”	To ensure consistency within the Constitution. Deleted wording crossed through.
Council’s Complaints Procedure – Page 501 (Mez Matthews)	Replace all occurrences of “Head of Customer Services” with “Head of People and Technology”.	To reflect Directorate restructure.
Crawley Borough Council Petitions Scheme – Page 520a (Steve Lappage)	Within the Petitions Scheme, replace each occurrence of the term “Petition Organiser” with “Principal Petitioner”	To be consistent with the terms used by our e-petition provider.

Function	Proposed amendment	Reason for amendment
<p>Crawley Borough Council Petitions Scheme – Page 520e</p> <p>(Steve Lappage)</p>	<p>Amend the final paragraph of section “What will the Council do when it receives my petition?” to read as follows:</p> <p>“To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.”</p>	<p>To reflect current practice.</p> <p>Deleted wording crossed through.</p>
<p>Crawley Borough Council Petitions Scheme – Page 520h</p> <p>(Mez Matthews)</p>	<p>Amend the list of senior council staff as follows:</p> <ul style="list-style-type: none"> ▪ Chief Executive (Lee Harris) ▪ Director of Environment and Housing (Peter Browning) ▪ Director of Community Services (Phil Rogers) ▪ Director of Resources (David Covill) ▪ Head of Communications (Mark Robinson) ▪ Head of Legal and Democratic Services (Ann-Maria Brown) ▪ Regeneration Projects Co-ordinator (John Thraves) ▪ Corporate Policy Manager (Carrie Burton) ▪ Head of People and Technology (Lucasta Grayson) ▪ Head of ICT (Jane Goodall and Yvonne Campbell) ▪ Head of Property (Peter Allen) ▪ Head of Finance and Procurement (John Burke) ▪ Head of Finance, Revenues and Benefits (Dave Rawlings) ▪ Head of Strategic Housing and Planning (Diana Maughan) 	<p>To reflect structure of departments and job titles.</p> <p>Amended wording in bold.</p> <p>Deleted wording crossed through.</p>

Function	Proposed amendment	Reason for amendment
Crawley Borough Council Petitions Scheme – Page 520h (continued)	<ul style="list-style-type: none"> ▪ Head of Planning and Environmental Services (Angela Tanner) ▪ Head of Crawley Homes (Karen Dodds) ▪ Strategic Planning Co-ordinator (Ted Beresford-Knox) ▪ Head of Amenity Services (Chris Harris) ▪ Head of Community Services (Nigel Sheehan) ▪ Head of Arts (Kevin Eason) 	
Management Structures – Page 564 (Lee Harris)	<ul style="list-style-type: none"> • Add the post of “Communications Manager” with responsibility for “internal and external communications”. 	To reflect Directorate restructure.
Management Structures – Page 565 (David Covill)	<ul style="list-style-type: none"> • Delete the post of “Head of ICT” • Delete the post of “Head of Customer Services” • Replace the post of “Head of Human Resources and Development” to read “Head of People and Technology” and amend the responsibilities to read as follows: “Organisational Development (including the co-ordination, administration & support of corporate systems & processes which support improvement). Human Resources Strategy, Personnel administration, Development and training (inc Members), Health and Safety, Occupational Health Advice, Equalities and Diversity. Emergency Planning, Information, Communication and Technology, Systems Development, Network Management Operations, Cashiers, Telephones, Reception, Customer Strategy.” 	To reflect Directorate restructure. Amended wording in bold.

Function	Proposed amendment	Reason for amendment
Management Structures – Page 565 (continued)	<ul style="list-style-type: none"> Replace the post of “Head of Finance and Procurement” to read “Head of Finance, Revenues and Benefits” and amend the responsibilities to read as follows: “Treasury Management, Financial Resources Projection, Financial Advice, Budgetary Control, Statutory Accounts, Internal Audit, etc. Procurement and Revenues.” 	
Where relevant (with the exception of the Council’s Complaints Procedure)	Replace all occurrences of “Head of Customer Services” with “Head of Finance, Revenues and Benefits”	To reflect Directorate restructure.
Where relevant	Replace all occurrences of “Head of Finance and Procurement” with “Head of Finance, Revenues and Benefits”	To reflect Directorate restructure.
Where relevant	Replace all occurrences of “Head of ICT” with “Head of People and Technology”	To reflect Directorate restructure.
Where Relevant	Replace all occurrences of “Head of Human Resources and Development” with “Head of People and Technology”	To reflect Directorate restructure.

* These changes will also be considered by the Cabinet on 23 March 2011.