

ANNEXE A TABLE OF CONSTITUTION AND CHANGES

The following Table summarises the changes made to the Constitution to date as a result of the Constitution, Ethics and Probity Committee decisions. Where sections still require review these will be completed leading up to the Annual Council meeting in June and the Table describes the process for that review.

No.	Section	Reference	Changes contained within Document
0	Introduction	Appendix A Page 43	<p>An introduction to Constitution has been drafted including the following sections:</p> <p style="padding-left: 40px;"><u>Part 1</u> Summary and explanation</p> <p style="padding-left: 40px;"><u>Part 2</u> Articles of the Constitution</p> <p style="padding-left: 40px;"><u>Part 3</u> Responsibilities for Functions</p> <p style="padding-left: 40px;"><u>Part 4</u> Procedure rules, public participation and engagement rules, contract procedure rules and financial regulations</p> <p style="padding-left: 40px;"><u>Part 5</u> Codes, protocols and handbooks</p> <p style="padding-left: 40px;"><u>Part 6</u> Members allowance scheme</p> <p>A structure chart has been added to visually include the Committees that will come into effect from June 2014.</p> <p>This section has been redrafted to be named “Introduction to the Constitution” rather than titled “Decision Making”.</p> <p>A definition of the Committee System has been added and the Executive System</p>

No.	Section	Reference	Changes contained within Document
			<p>removed.</p> <p>Reference to Overview and Scrutiny Committees has been deleted and articles have been renumbered where appropriate. A number of the references have changed due to the change in the Committee System that will not exist under this model.</p>
1	Article 1 – Constitution	Appendix B Page 53	There is nothing specific regarding the Executive Model- therefore this has been reviewed for consistency purposes and renumbered sections where appropriate.
2	Article 2 – Members of the Council	Appendix C Page 55	There is nothing specific regarding the Executive Model therefore this has been reviewed for consistency purposes. A footnote has been added to section 2.02 regarding election and terms of Councillors to reflect the fact that statutory instrument may change the timing of a regular election.
3	Article 3 – Citizens of the Council	Appendix D Page 57	<p>The first paragraph has been amended to include an introduction focusing on rights of citizens.</p> <p>Old paras B (ii) and (iii) have been removed as they refer to Executive functions and Overview and Scrutiny Committees both of which will not exist under a Committee system.</p> <p>The Article now refers to the section on Public Participation Rules to ensure readability of the Constitution.</p> <p>A footnote has been added to section (e) on complaints to make it clear that citizens have the right to raise issues with their local ward councillors.</p>
4	Article 4 – The Full Council	Appendix E Page 59	The section now has an introduction to explain the purpose of Full Council.

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			<p>To avoid duplication and future proofing the document it is suggested that the role of Full Council and the statutory aspects thereof should only sit in one place, namely Responsibility for Functions, to ensure readability and understandability. These sections have now been cross referenced into the Responsibility for Functions.</p> <p>Article 4 is to retain definitions relevant for reading across the Constitution, such as budget and policy framework and listing plans and strategies requiring approval.</p>
5	Article 5 – Chairing the Council	Appendix F Page 61	Minor change to delete reference to the Executive.
6	Article 6 – Overview and Scrutiny Committee	Deleted	This article has been deleted and the Terms of Reference for the Health Overview and Scrutiny Committee has been included within the Responsibility for Functions, and procedure rules added to the overall Meeting Procedure Rules.
7	Article 7 – Executive	Appendix G Page 63	<p>This Article has been renamed “The Leader” and becomes Article 6.</p> <p>The majority of the current article deals with the Executive model of governance which will not be applicable. The aspect retained is in relation to the Leader and the timeframe in which they hold office, conflicts of interest and also adding in a definition of the Leader of the Opposition.</p>
8	Article 8 – Regulatory and Other Committees	Deleted and Merged	These have been merged into a new Article 7 titled “Committees, Sub-Committees, Area Committees and Forums, and the Local Strategic Partnership”.
9	Article 9 – Area Committees, Forums and LSP	Deleted and Merged	These have been merged into the new Article 7 setting out committees and sub-committees, and the detail of the responsibilities set out within the Responsibility for Functions.

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10	NEW Article 7 - Committees, Sub-Committees, Area Committees and Forums, and the Local Strategic Partnership	Appendix H Page 65	<p>This new Article describes previous articles 8 and 9 detailing all Committees, Sub-Committees, Area Committees and Forums, and the Local Strategic Partnership.</p> <p>The Local Strategic Partnership (LSP) – the majority of responsibilities for the LSP are carried out by the Barnet Partnership Board. However this is not a formal Committee Structure. The LSP has been transferred to the Responsibility for Functions section of the Constitution and the description of the LSP retained within the Article.</p>
10	Article 10 Joint Arrangements	Appendix I Page 67	Renumbered Article 8. These powers will need to be exercised by Council, not the Executive. The Article has been redrafted deleting the references to the Executive.
11	Article 11 – Chief Officers	Appendix J Page 69	Renumbered Article 9. This section has been redrafted to remove references to the Executive.
12	Article 12 – Decision Making	Appendix K Page 75	<p>Renumbered Article 10. As well as replacing references to the Executive, there are some changes of wording that have been amended resulting from the approval of the Constitution, Ethics and Probity Committee in December 2013 where it was approved to include additional requirements for committee reports to show:</p> <ul style="list-style-type: none"> • consideration of any alternative options • the giving of reasons for the decision and the proper recording of those reasons. <p>This was to ensure compliance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.</p>

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			References to Key Decisions are deleted because they are statutorily defined as Executive decisions that meet certain criteria. Under a Committee System the Executive model does not exist and therefore there is no requirement to have a key decision defined within the Constitution. As a result these have been deleted within this redrafted section.
13	Article 13 – Finance, Contracts, Land Disposal and Legal Matters	Appendix L Page 77	Renumbered to Article 11. Minor amendments redrafted excluding references to the Executive.
14	Article 14 – Review and Revision of the Constitution	Appendix M Page 81	Renumbered to Article 12. This Article has been amended to describe the system in governance in place and the mechanism to change this under the Localism Act once a decision has been made to move to the Committee form of governance – i.e. 5 years from the date of decision. It has been added to 12.02(b) the responsibility on the Constitution, Ethics and Probity Committee to continue to monitor effectiveness of constitution and decision making structure.
15	Article 15 – Suspension, interpretation and publication of the Constitution	Appendix N Page 83	Renumbered to Article 13.
16	Responsibility for Functions	Appendix O Page 87	<ul style="list-style-type: none"> • An introduction has been Inserted • It has been added to paragraph 1.19 the responsibility of Full Council to-

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		<p>Appendix P</p> <p>Page 95</p>	<p>‘appoint Lead Member for Children’s Services’</p> <ul style="list-style-type: none"> • Major changes to take out reference to Executive and to the ‘consideration of local choice’ (where authorities determined which were Executive or Council functions). • Statutory Functions have been added for Full council as approved by the Constitution, Ethics and Probity Committee in December 2013. • All Environment related functions of the current Planning and Environment have been moved to the Environment Committee • The terms of reference of the new Committees have been drafted and included as Annex A to the Responsibilities for Functions section (Annex A) • All Cabinet portfolios have been removed, and replaced within terms of reference of the new committees, ensuring all relevant functions are re-allocated • General Powers reserved to Cabinet have been removed and specific strategies have been reallocated to Full Council or Committees. • The Health and Well Being Board and the Health Overview and Scrutiny Committee Terms of References have been included as amended by the Constitution, Ethics and Probity Committee • For each proposed Committee, the wording of Member Composition has been clarified the read the composition of the committee will be made up in accordance with proportionality

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			<ul style="list-style-type: none"> • For Policy and Resources, committee size is 12 • For all committees the wording of Member Composition to read ‘Chairman and Vice Chairmen to be appointed by Council’ • For all spending committees it has been included that they have the ability to award grants to the voluntary sector. • For Children, Education, Libraries and Safeguarding, it has been added in that the Committee can receive reports from the Children’s Trust Board • For Environment, remove “Commons registration and town and village greens” which will continue to be the remit of the Planning Committees. • For Community Leadership, this Committee will have responsibility for ‘any pooling of non-health related budgets’ • Area Sub-Committees –Policy and Resources will allocate a budget as appropriate for Area Sub Committees and agree a framework for governing how that budget may be spent. • The responsibility for neighbourhood plans have been allocated to the Planning Committee. • Joint Arrangements and Resident Forums have been added into the Responsibility for Functions. <p>Urgency provisions have been included within the arrangements under section 6 of the Responsibility for Functions. Option 1 is a 3 Member committee forming of the Leader, Deputy Leader and the Leader of the Opposition. This Committee must</p>

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			<p>consult with the Chairman of the relevant Committee in making their decision. Option 2 is the discharge of a function through the Chief Executive in consultation with the Leader or the Chairman of the relevant Committee.</p> <p>All Officer Delegations that had previously been included within the responsibility for functions have been removed and combined with the Officer Scheme of Delegation to ensure all officer delegations are included in one document. This document will become Annex B to the Responsibility for Functions.</p> <p>All Partnership Boards are now explained within the Responsibilities for Functions section.</p>
17	Officer Scheme of Delegation	Appendix Q Page 125	<p>These will now be an Annex to the Responsibility for Functions and include those sections deleted from the Responsibility for Functions. There was duplication noted within the responsibilities delegated to officers and therefore where there was duplication only one remains within the proposed revised document.</p> <p>References to key decisions are removed due to this only being applicable to an Executive model of governance.</p> <p>There has been removal of reference to the Executive.</p>
18	The Council	Appendix R Page 149	<p>The following changes have been incorporated into the Council Procedure Rules:</p> <ul style="list-style-type: none"> • It has been drafted within the proposed Constitution a change in the order of the Council meeting to be the following: <ol style="list-style-type: none"> 1. Statutory Formalities (15 minutes)

No.	Section	Reference	Changes contained within Document
			<p data-bbox="1137 268 1995 296">2. Statutory Council Business (which will include petitions) (60 minutes)</p> <p data-bbox="1137 336 1498 365">3. Question Time (30 Minutes)</p> <p data-bbox="1137 405 1561 434">4. Business for Debate (45 Minutes)</p> <p data-bbox="1039 474 2049 624">Given there will be the potential for more business to be referred up to Full Council Statutory Council Business had been moved in the order to take priority and therefore dealt with first. The time allowed for statutory council business has increased from 30 minutes to 60 minutes.</p> <p data-bbox="1039 663 2049 813">It was the preference noted at the Constitution, Ethics and Probity Committee to have 3 motions to be debated, the revised ordering of business would allow for additional motions where the time left was known. In addition, this would ensure that all motions would be dealt with together.</p> <p data-bbox="1039 853 2049 924">'At least one motion originating from the official opposition to be debated if submitted'</p> <p data-bbox="1039 963 2049 1034">The motion debated will be determined by Council if there is more than one submitted.</p> <p data-bbox="1039 1074 1621 1102">This would replace the current 'opposition item'.</p> <p data-bbox="1039 1142 1921 1212">The provision for motions for adjournment has been included to allow the opportunity to debate additional motions if there is time.</p> <p data-bbox="1039 1252 1350 1281">Motions for Adjournment</p> <p data-bbox="1088 1321 2049 1391">"If time permits at the end of a meeting further motions may be debated. The selection of motions (s) to be debated will be decided following a member</p>

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			<p>moving a particular motion and the Mayor putting this to a vote by members present. Voting will be by a show of hands. If agreement is not reached in relation to the first proposed motion, further motions may be proposed until agreement on the motion to be debated is reached. The other Rules of Debate in relation to motions set out in currently within the Constitution will apply to Motions for Adjournment. The process can be repeated, but no motions shall be transacted after 10pm. At 10pm without further debate, the Mayor shall immediately put to the vote the motion under debate and end the meeting.”</p> <p>Petitions have been included within Statutory Council Business which is at an early point in the agenda, to facilitate public participation.</p> <p>Reference to Standing Orders is now changed to refer to Procedure Rules to be consistent with the remainder of the Constitution.</p> <p>The Committee agreed that Full Council were to allow questions from the public to the Leader in writing with responses in writing provided. The options for how these are going to be administered are currently being drafted by officers and will be submitted to the next meeting of Constitution Ethics and Probity Committee.</p>
19	Committees and Sub Committees (Meetings Procedures)	Appendix S Page 159	<p>This section has been renamed “Meeting Procedure Rules”.</p> <p>The list of Committees, with membership and quorum, has been updated, reflecting the proposed committees, deleting overview and scrutiny and Executive Committees, and ensuring consistency with the Responsibility for Functions. It also adds an Urgency Committee in line with the urgency procedure noted in the Responsibility for Functions.</p> <p>The Executive Procedure Rules and Overview and Scrutiny Procedure Rules have</p>

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			<p>been compared with the general procedure rules to ensure anything relevant has been included within this section.</p> <p>Points of order have been added to the Meeting procedure rules in line with those currently contained within the Council Procedure Rules.</p>
20	Public Participation and Engagement	Appendix T Page 169	<p>The following has been incorporated into the rules as agreed by the Constitution, Ethics and Probity Committee on the 19th December 2013:</p> <ul style="list-style-type: none"> • To allow 30 minutes in total for public questions and comments; • Comments to be maximum 3 to allow as wide a range of people as possible to participate; • To allow a facility for members of the public to submit written comments (within the same deadlines as for questions and comments) which would be published as an addendum to a report; <p>To not allow questions at Full Council, but instead to introduce the ability to submit written questions ahead of Full Council, for the Leader’s response. The rules on how the questions to the Leader will be put will be subject to further review of the Constitution, Ethics and Probity Committee.</p> <p>Petitions that range between 2,000 to 7,000 signatures, that currently go to Business Management Overview and Scrutiny Committee (BMOSC), they will now go to the Policy and Resources Committee, as agreed by the Committee on 14 January 2014.. This procedure has been included.</p> <p>At paragraph 2.4 it has been included that the supplementary question must be</p>

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			relevant to the original question put to the chairman.
21	Access to Information Rules	Appendix U Page 175	<p>Reference to the Executive form of governance has been removed throughout the document.</p> <p>The definition of exempt information has been extended, including the reasons for withholding, within this section.</p> <p>Reference to key decisions has been removed- as mentioned previously this is not a requirement under the Committee system form of governance.</p> <p>Overview and Scrutiny has been removed from this section.</p> <p>It has been included that 'where vote is taken minutes will record the number of votes for and against and abstentions will be recorded' as agreed by CEP on 14 January 2014.</p>
22	Budget and Policy Framework Procedure Rules	Appendix V Page 187	<p>References to Executive replaced by Council or by Policy and Resources where relevant and in line with the Terms of Reference of the Committee.</p> <p>Call-in arrangements have been deleted as there is the referencing up mechanism included within the Responsibility for functions for referring to the parent Committee.</p>
23	Executive Procedure Rules	N/A	These will be deleted but there are some sections to be integrated within other parts of the Constitution(- e.g. on Leader's conflict of interest (article 6 – the leader), principles of decision making and consultation are Article 10 – decision making).

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24	Overview and Scrutiny Procedure Rules	N/A	<p>These have been deleted, other than those elements specifically relating to the Health OSC, which have been incorporated within Meetings Procedures Rules.</p> <p>The Terms of reference of existing Scrutiny Committees have been embedded where relevant in the proposed new Committees and their terms of reference within the Responsibility for Functions (Appendix O).</p>
25	Financial Regulations	N/A	The Financial Regulations are due an annual review by finance officers and will be presented to the Constitution, Ethics and Probity Committee for consideration prior to the Annual Council meeting.
26	Contract Procedure Rules	N/A	The Committee will be presented a revised CPRs for consideration prior to Annual Council in June 2014.
27	Code of Procurement Practice	N/A	As above.
28	Management of Assets, Property and Land Rules	N/A	These will be reviewed as part of the Annual Review and be presented to the Committee prior to the Annual Council for consideration.
29	HR Regulations	N/A	It is not expected that there will be any significant changes to these rules as result of the change to a Committee system. These will be reviewed prior to Annual Council in June 2014.
30	Members Code of Conduct	N/A	Minor changes to delete reference to Executive no other changes expected.
31	Members Planning Code of Practice	N/A	As these are currently Council functions this section is not expected to have significant changes and will be reviewed after the first phase of redrafting for consistency purposes.

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32	Members Licensing Code of Practice	N/A	As these are currently Council functions this section is not expected to have significant changes and will be reviewed after the first phase of redrafting for consistency purposes.
33	Officer Code of Conduct	N/A	It is not expected that there will be any changes to the Officer Code of Conduct as a result of the change in governance system. However this section will be reviewed prior to Annual Council for consistency and referencing purposes.
34	Protocols for Member Officer Relations	N/A	It is not expected that there will be any changes to these protocols as a result of the change in governance system. However this section will be reviewed after the main changes are redrafted for consistency purposes.
35	Code of Corporate Governance	N/A	It is recommended that the Code of Corporate Governance is maintained in its current detail with references to the Executive and Overview and Scrutiny deleted. It will be redrafted prior to Annual Council to ensure it properly described the new system of governance.
36	Member Allowances Scheme	N/A	These will require review.