

## **Appendix 2**

### **Proposed Changes to Constitution – Annex 1.13**

- 1) Delegation to Monitoring Officer – Page 43 – Add new paragraph under hearings “Delegated from Cabinet”:

To authorise employees to appear on behalf of the Council in County Court and/or Magistrates’ Court pursuant to S60 of the County Courts Act 1984 and S223 of the Local Government Act 1972.

- 2) Council side urgency provision – Page 49 – Add new Part C:

Part C: Functions delegated to Chief Executive and directors

Urgent Action

1.13C.1 - Matters reserved to Council:

In relation to Council responsibilities, subject to consultation with the Leaders of all the groups which comprise at least 1/10th of the membership of the Council (or their nominees), and the provisions for urgent decisions which are contrary to any plan or strategy which has been approved or adopted by the Council or which are contrary to or not wholly in accordance with the budget approved by the Council (set out in Annex 2.3 of the Constitution), the Chief Executive and directors shall have the power to act on behalf of the Council in cases of urgency only where the urgent matter is of such a nature that it may be against the Council’s interest to delay and where it is not practicable to obtain the approval of the Council.

Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.