

Executive Report

Cabinet – 6 February 2024

CABINET PROCEDURE RULES

Name of Cabinet Member	Councillor Pete Marland Leader of the Council
Report sponsor	Sharon Bridglalsingh Director of Law and Governance
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Exempt / confidential / not for publication	No
Council Plan reference	Not in Council Plan
Wards affected	All wards

Executive summary

A review of the Council's constitution has been ongoing throughout 2023/24, with the majority of changes having been non-executive in nature and agreed by Full Council. The exercise has predominantly been to ensure legislative, consequential and other updates are reflected, bearing in mind the Constitution was comprehensively reviewed in 2019.

This report brings forward proposed changes to Cabinet Procedure Rules, which are set by the Cabinet. These include:

- incorporating rules for speaking by members of the public and ward councillors at Delegated Decision meetings; and
- reflecting the position set out in the Council's Code of Conduct regarding participation of councillors with an Other, or Non-Registerable Interest at Cabinet. The background to the issue of consistency with the Code of Conduct is set out in full in [the report to Full Council on 24 January 2024](#).

The Council's current Constitution and associated documents are available in full on the [Modern.gov](#) pages of the Council's website. Proposed revisions to Cabinet Procedure Rules are set out in full in **Annex A** (amendments are shown as tracked changes for ease of consideration).

1. Proposed Decision(s)

- 1.1 That, subject to the adoption of revised Council Procedure Rules on 21 February 2024, revised Cabinet Procedure Rules (shown with track changes at **Annex A**), be agreed to take effect from 1 March 2024.
- 1.2 That authority be delegated to the Director of Law and Governance to make any minor typographical or presentation amendments to Cabinet Procedure Rules, in consultation with the Leader of the council.

2. Background

- 2.1 It is considered good practice to keep constitutional documents under review and undertake a full review every 4-6 years.
- 2.2 The style and content of the Council's constitution does not require significant changes, having undergone a fundamental review in 2018-19. However, there are some amendments proposed which are set out below.

Speaking at Delegated Decision Meetings

- 2.3 It has been usual practice to allow both public speaking, and the contributions of Ward Councillors at Delegated Decision meetings. However, Cabinet Procedure rules are currently silent on the matter, and it seems prudent to formalise these arrangements.

Conflicts of Interest

- 2.4 At present, Cabinet Procedure Rules reflect outdated terminology from the Council's previous Code of Conduct. The proposed changes align the position with that of the current Code and (if agreed by Council in February) Council Procedure Rules. In effect this would mean that Cabinet members or ward councillors in attendance may, if they have an Other, or Non-Disclosable Interest, exercise any procedural rights afforded to members of the public to address the meeting, before leaving the room.

3. Timetable for implementation

- 3.1 Once agreed, and subject to corresponding changes to Council Procedure Rules being agreed on 21 February 2024, at full Council, revised Cabinet Procedure rules would take effect on 1 March 2024.

List of annexes

Annex A – Draft Changes to Cabinet Procedure Rules

List of background papers

None