

Amendments/changes to Part 2 of the Constitution

Chapter 2	Members of the Council
Para 2.1.1	Capitalise "Ward" as defined term.
Para 2.1.2	Remove sub paragraphs a – d as not necessary.
Para 2.1.3	Add 'from standing' for clarification
Para 2.1.3(a)	Reworded for clarification
Para 2.3.1	Remove sub paragraph (a)
	Capitalise "Council" and "Ward" as defined terms.
Para 2.3.3	Remove "without the consent of the council or divulge information given in confidence to anyone other than a Member of officer entitled to know it"
Para 2.3.4	Capitalise "Exempt" as it is a defined term.
	Addition of 'B' to Part 4 of the Constitution to direct readers to the correct section.
Chapter 3	Citizens and the council
Para 3.1.1	Addition of 'B' to Part 4 of the Constitution to direct readers to the correct section.
Para 3.1.4	Add "Except where confidential information is likely to be disclosed" to cover the sub paragraphs
Para 3.1.4(a)	Delete "Except where confidential or Exempt information is likely to be disclosed"
Para 3.1.4(b)	Delete "When key decisions are being considered".
Para 3.1.4(c)	Capitalise "Executive" and "Key Decisions" as defined terms.
Para 3.1.4(d)	Capitalise "Background papers" as a defined term.
Para 3.1.5	Replace "Council's question time" with "'Questions by the Public' at ordinary meetings of the Council' for clarity.
Para 3.2.1	Correction, replace 'abusing' with 'abusive'
	Capitalise "Officers" and "Chairman" as defined terms.
Chapter 4	Full Council
	Add 'Full' into chapter title to differentiate between a meeting of the council and East Herts council as an organisation

Para 4.1	Replace “other matters are allocated to the Council by the Constitution” with “such as setting the council’s budget and the council’s share of the Council Tax and approving a number of key plans and strategies, which together form the Policy Framework (listed below). It is responsible for all of the functions which are not the responsibility of the Executive. It will carry out some functions itself, but others will be delegated to Committees or named Officers” for clarification.
Para 4.2.1	Replace “includes” with “is composed of”.
	Add “with the following titles or reasonably taken to be the following even if they have different titles”
Para 4.2.1	The Policy Framework has been amended.
Para 4.3.1(a)	Add “in line with Part 2M below”
Para 4.3.1(c)	Capitalise “Budget” as defined term.
Para 4.3.1(d)	Additional paragraph “considering a referendum on Council Tax increases and associated matters”
Para 4.3.1(e)	Add “plans and strategies which together comprise the” for clarity.
Para 4.3.1(j)	Capitalise “Committee”, “Civic Year and “Terms of Reference” as defined terms.
Para 4.3.1(k)	Capitalise “Committees” and “Political Group” as defined terms.
Para 4.3.1(l)	Capitalise “Committee” as defined term.
Para 4.3.1(m)	Add “considering recommendations from the Independent Remuneration Panel and”
Para 4.3.1(n)	Capitalise “Outside Bodies” as defined term.
Para 4.3.1(o)	Addition of new sub-paragraph “the ratification of the appointment or notice of dismissal to the Head of Paid Service, Chief Finance Officer or Monitoring Officer, prior to such action being taken (and in respect of dismissal, having taken into account any advice, views or recommendations, conclusions or any investigation from the Panel and representations of the Officer concerned)”
Para 4.3.1(p)	Add “including the appointment of an Electoral

	Registration Officer and a Returning or Acting Returning Officer (to act in connection with Parliamentary, District, County, Police Commissioner and referenda)
Para 4.3.1(s)	Capitalise "Local Choice Functions" as defined term.
Para 4.3.1(t)	Addition of new sub-paragraph "review and agree proposals on polling districts, polling places and polling stations, district boundaries, electoral Wards and the number of District Councillors"
Para 4.3.1(u)	Addition of new sub-paragraph "to consider, make, amend or withdraw compulsory purchase orders"
Para 4.3.1(v)	Add "and Vice-Chairman"
Para 4.3.1(w)	Addition of new sub-paragraph "agreeing an Annual Schedule of meetings"
Para 4.4.1	Capitalise "Ordinary Meetings" and "Extraordinary Meetings" as defined terms.
	Addition of new paragraph "For all purposes of the Constitution the term "meeting" is not limited in meaning to a meeting of persons all of whom, or any of whom, are present in the same place and may be wholly or partly through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming provided such remote means are legally permissible under relevant legislation"
Chapter 5	Chairing the Council
Para 5.2.2	Replace "he or she" with "they"
	Capitalise "Full Council"
Chapter 6	The Executive
Para 6.1.1	Remove "Leader and the"
Para 6.2.1	Replace "up to" with "no more than"
Para 6.2.2	Capitalise "Scrutiny Committee" as defined term.
Para 6.3.1	Replace "he or she is" with "they are"
Para 6.3.1(d)	Replace '/' with 'or'
Para 6.3.2	Replace "the" with "that" and remove "the rules on earlier termination in"

	Capitalise "Ordinary Meeting" and "Extraordinary Meeting" as defined terms.
Para 6.3.3	Replace "he or she" with "they"
Para 6.3.4	Replace "he or she" with "they"
Para 6.4.2	Capitalise "Civic Year" as defined term.
Para 6.5.1(a)	Add "and Non-Key"
	Capitalise "Key Decision" as defined term.
Para 6.5.1(d)	Capitalise "Committees" and "Sub-Committees" as defined terms.
Para 6.5.2(c)	Capitalise "Scheme of Delegation" and "Officers" as defined terms.
Para 6.5.3	Add full stop after "Constitution"
	Capitalise "Officers" and "Civic Year" as defined terms.
Para 6.6.1	Add "or through any other means as allowed by law and determined by the Leader". To allow for virtual meetings if legislation changes in future.
Para 6.6.2	Add "about"
Chapter 7	Scrutiny Committee
Para 7.1.1	Remove "scrutiny"
	Capitalise "Committee" and "Sub-Committee" as defined terms.
Para 7.2.1	Capitalise "Members" as defined term.
Para 7.2.2	Capitalise "Committee" and "Terms of Reference" as defined terms.
Para 7.2.2(i)	Replace "Council's" with "council's"
Para 7.2.2(ii)	Add "/or"
Para 7.2.2(iv)	Capitalise "Officers" as defined term.
Para 7.2.2(vii)	Capitalise "Committee" as defined term.
Para 7.2.2(ix)	Replace "an the" with "a" as a correction.
	Delete "for example, decision to be made on significant place making projects"
	Capitalise "Key Decisions" and "Committee" as defined terms.
Para 7.2.2(x)	Add "and"

Para 7.2.2(xii)	Addition of sub-paragraph. "Consider reports relating to the authority's use of the Regulation of Investigatory Powers Act (2000) (RIPA)"
Para 7.2.2(xiii)	Capitalise "Members" and add "of the committee"
Para 7.2.3	Capitalise "Task and Finish Groups" and "Committee" as defined terms.
Para 7.2.4(ii)	Capitalise "Call-in" as defined term.
Para 7.3	Replace "them" with "it"
Para 7.5	Capitalise "Officers" as defined term.
Para 7.8(b)	Add "Rapid Reviews and"
	Remove "should be encouraged as the preferred method of scrutiny reviews"
	Capitalise "Task and Finish Groups" as defined terms.
Para 7.8(c)	Capitalise "Committee" as defined term.
Para 7.8(f)	Replace "Council's" with "Overview and"
Para 7.8(g)	Capitalise "Chairman", "Vice Chairman" and "Committees" as defined terms.
Para 7.8(h)	Capitalise "Committee" as defined term.
Para 7.9(i)	Capitalise "Officers" as defined term.
Para 7.9(iii)	Remove capital C on "council's"
Para 7.9(iv)	Capitalise "Officers" as defined term.
Para 7.9(vi)	Capitalise "Key Decisions", "Committees" and "Officers" as defined terms.
Chapter 8	Regulatory and other Committees
	Capitalise "Committee" throughout chapter as defined term.
Chapter 9	Joint Arrangements and Working Groups
Para 9.2.4(a)	Capitalise "Ward" as defined term.
Para 9.2.5	Remove capital C on "council's"
Para 9.3.1	Capitalise "Committee" as defined term.
Para 9.4.3	Capitalise "Members"
Chapter 10	Officers
Para 10.1(a)	Capitalise "Officers" as defined term.
Para 10.1(b)	Capitalise "Chief Officers" as defined term.

	Replace the table for clarification
Para 10.1(c)	Replace “Data Protection Officer” with “Information Governance and Data Protection Manager” to reflect a change in job title.
Para 10.1(d)	Correction, replace “chapter” with “paragraphs”
Para 10.1(e)	Remove capital on “council”
Para 10.2.1	Capitalise “Officers” as defined term.
Para 10.3.1	Capitalise “Officers” as defined term.
Para 10.3.2	Replace “he or she” with “they”
Para 10.3.4	Addition of new paragraph “Receiving Complaints about Members: The Monitoring Officer will receive complaints of failures to comply with the Members’ Code of Conduct and determine, in consultation with the Independent Person, whether a complaint requires formal investigation. The Monitoring Officer may seek to resolve a complaint informally prior to a decision on whether the complaint merits formal investigation”
Para 10.3.5	Replace paragraph “The Monitoring Officer together with the Independent Person if appropriate will conduct investigations into complaints” with “The Monitoring Officer will arrange formal investigations as appropriate into matters referred to them and make reports or recommendations in respect of them to the Audit and Governance Committee. Subject to providing a report for information to the Audit and Governance Committee, the Monitoring Officer may take no further action where a formal investigation find no evidence of a failure to comply with the Members’ Code of Conduct, or seek an informal resolution (subject to consultation with the Independent Person) where the complainant is satisfied with the outcome.
Para 10.3.6	Replace “Executive” with “all” Capitalise “Budget” as defined term.
Para 10.3.7	Remove “Executive”

Para 10.3.8	Add "and Officers"
	Capitalise "Budget" and "Policy Framework" as defined terms.
Para 10.4	Replace "he or she" with "they"
Para 10.4.4	Capitalise "Budget", "Policy Framework" and "Officers" as defined terms.
Para 10.5.1	Add UK for clarification
Para 10.5.1(a)	Add UK for clarification
Para 10.6.1	Capitalise "Officers" as defined term.
Para 10.8.1	Capitalise "Officers" as defined term.
Chapter 11	Decision making
Para 11.1	Add "specific"
Para 11.2(h)	Capitalise "Quasi-Judicial" as defined term.
Para 11.3.1	Capitalise "Budget" as defined term.
Para 11.3.2(c)	Delete "is"
Para 11.3.3(c)	Capitalise "Committee" as defined term.
Para 11.3.3(d)	Correction "of" to "or"
Para 11.3.5(b)	Capitalise "Committee" as defined term.
Para 11.3.5(c)	Capitalise "Officers", "Committee" and "Chairman" as defined terms.
Para 11.3.6	Capitalise "Key Decision" as defined term.
Para 11.3.6(a)	Increase key decision limit from "£100,000" to "£200,000"
Para 11.3.7	Capitalise "Key Decision" as defined term.
Para 11.3.8	Capitalise "Key Decision" and "Non-Key Decision" as defined term.
Para 11.5	Capitalise "Committee", "Sub-Committee" and "Officers" as defined terms.
Para 11.5(c)	Replace "Scrutiny Committee" with "Overview and Scrutiny Committee"

Para 11.6	Capitalise "Quasi-Judicial" as defined term.
Para 11.7.1	Capitalise "Political Group" as defined term.
Para 11.7.2	Capitalise "Sub-Committee", "Committee" and "Quasi-Judicial" as defined terms.
Chapter 12	Finance, Contracts and Legal Matters
Para 12.3	Replace "he or she" with "they"
Para 12.5	Format change
Para 12.5.4	Replace "initialled" with "signed"
Chapter 13	Review and Revision of the Constitution
Para 13.1	Capitalise "Constitution" as defined term.
Para 13.2.1	Addition of new sub-paragraph "approval".
Para 13.2.2	Addition of new sub-paragraph "Legislative Changes" "Any part of the Constitution may be amended by the Monitoring Officer where such amendment is required to be made so as to comply with any legislative provision. Such amendments shall take effect when the Monitoring Officer decides or the legislation (where relevant) so provides. Such changes will be reported to the next Full Council meeting"
Para 13.2.3	Addition of new sub-paragraph "Minor Changes" "If, in the reasonable opinion of the Monitoring Officer or the Chief Finance Officer, a change is; (a) Required to be made to remove any inconsistency, ambiguity, typographical or other such error, changes to staffing structures, job descriptions or changes in terminology; or (b) Required to be made so as to put into effect any decision of the Council or its committees or the Executive; or (c) To amend the Constitution to implement decisions of the Leader in relation to the delegation of executive functions to the Executive Members; or (d) Requested only for the practical purpose, in order to ensure the proper administration of the Council,

	the Monitoring Officer of the Chief Finance Officer may make such a change
Para 13.2.4	Addition of new sub-paragraph. "Any change made under paragraph 13.2.3(e) shall come into force with immediate effect but shall be referred to Full Council as soon as it reasonably practicable and shall only continue to have effect thereafter if agreed by Full Council"
Para 13.2.5	Addition of new sub-paragraph. "Changes made up 13.2.3 must be notified to all Members at the next meeting of the Full Council"
Para 13.2.6	Reword paragraph to now read "If it is proposed to change from the existing Leader and Cabinet form of executive to another form of executive, the council must take reasonable steps to consult with local electors and other interested persons in the District when drawing up proposals. If the proposed new form of executive involves an elected mayor, the council must also hold a referendum".
Chapter 14	Suspension, Interpretation, Maintenance and Publication of the Constitution
Para 14.2	Replace "his/her" with "their"
	Capitalise "Constitution"
	Add "In all other situations, the Monitoring Officer will determine the interpretation and application of the Constitution"

Amendments/changes to Part 3 of the Constitution

Part 3A	Functions and Responsibility
Amendments to table under Part 3A.	
	Replace “Unless there is a specific delegation to a committee” with “Committee of the Council or an Officer as detailed elsewhere in this Constitution”
	Addition of new row “The investigation of any complaint as to the existence of a statutory nuisance”
	Correction of job title from “Head of Democratic and Legal Services” to “Head of Legal and Democratic Services”
	Replace “Head of Paid Service” with “As delegated elsewhere in this Constitution or by the decision of Council on a case-by-case basis”
	Addition of “and the revocation of any such appointment”
Part 3B	Committee Functions and Responsibilities
Para 1.1	Capitalise “Committees” and “Sub-Committees” as defined terms.
Para 1.2	Capitalise “Committees” and “Sub-Committees” as defined terms.
Para 1.4	Capitalise “Committees” and “Sub-Committees” as defined terms.
Para 2.2	Remove paragraph for clarity.
Para 2.5	Addition of new “Quorum” paragraph “The quorum for the Committee shall be four member or one third whichever is fewer of the committee membership as set out in Part 4A of the Constitution”
Para 2.6	Capitalise “Officers” as defined term.
Para 2.8	Addition of public speaking rules. Replace “The Committee shall agree a scheme of public speaking arrangements” with “At a meeting of the Development Management Committee, a person or their representative may, if notice in writing, by

	<p>telephone or in person has been given by 5pm two working days before the meeting, speak on a particular planning application, provided that it is on the agenda to be considered at the meeting”</p>
Para 2.9	<p>Addition of new paragraph. “For each planning application, which is subject to consideration at the meeting, there will be a three minute time slot for people speaking in support of an application and one three minute slot for those speaking in objection to an application. If the planning application relates to a district plan strategic site, the time permitted for each slot is six minutes”</p>
Para 2.10	<p>Addition of new paragraph. “In addition to one speaker in support and one speaker in objection to an application, there is also provision for the local Town and Parish Council to speak on the application for three minutes (six minutes if it is a strategic site)”</p>
Para 3.1	<p>Replace “may undertake or sub-delegate the council’s regulatory functions relating to licensing and registration including” with “is delegated by Council to form the statutory Licensing Committee as required under the Licensing Act 2003. Acting on this delegation, the Licensing Committee is authorised to address the registration and regulatory remit of the council as required under”</p> <p>Addition of “Members of the Licensing Committee also have delegated authority as a Committee constituted under the Local Government Act 1972 to address issues relating to the registration and regulatory of the following, unless the authority to deterring the matter has been delegated to another committee to an individual officer:”</p> <p>Delete “unless the authority to determine the matter has been delegated to another committee or an individual officer”</p>

Para 3.5	Capitalise "Sub-Committee" as defined term.
Para 3.5(b)	Addition of "the council acting in its capacity as the"
Para 3.6(b)	Remove "respective"
	Add "whose portfolio incorporates licensing-related policy"
Para 3.6(c)	Capitalise "Task and Finish Group" as defined term.
Para 3.8	Add Quorum rules. "The quorum for the Committee shall be four members or one third whichever is fewer of the committee membership as set out in Part 4A of the Constitution.
Para 3.9	Capitalise "Sub-Committee" as defined term.
Para 3.10	Capitalise "Sub-Committee" as defined term.
Para 3.11	Capitalise "Sub-Committee" as defined term.
Para 3.12	Capitalise "Sub-Committee" as defined term.
Para 3.13	Replace "attached" with "below"
Para 3.14	Add "The Committee or Sub-Committee shall determine"
	Remove "or a sub-committee of that Committee, in the council's Licensing Points Record Scheme will be brought before the Committee or a sub-committee.
Table B	Replace "Approval to recommend to Council" with "Consideration of and the making of proposals to the Executive prior to the Executive's recommendation to Council for approval of"
	Capitalise "Licensing Authority" as defined term.
Appendix A	
Para 1.1	Capitalise "Sub-Committee" and "Quasi-Judicial" as defined terms.
Para 2.1	Remove "carry out the following functions"
Para 3	Capitalise "Licensing Hearing Panels"
Para 3.1	Break up paragraph into sub-paragraphs for clarity
Para 5.1	Remove "(including the applicant)"
Para 5.2	Remove "parties to a hearing are advised to arrive not less than 15 minutes before the hearing commences"
Para 11.3	Replace "prepare at least ten copies" with "make it

	available”.
Para 12.1	Capitalise “Declarations of Interest” as defined term.
Para 12.3	Remove “in the following order: Applicant/licensee and any person representing or assisting them (confirmation also should be given that copies of the relevant representations to be considered at the Hearing have been received); The Officer of the Licensing Authority, the Democratic Services Officer and the Legal Advisor to the Hearing Panel; Responsible authorities that have made a relevant representation and Interested parties who have made a relevant representation. Interested parties should confirm whether a spokesperson has been nominated and if so, identify them”
Para 12.4	Replace “wish to withdraw their” with “are happy to proceed with their”
Para 12.5	Replace “will” with “may”.
Para 12.6	Replace “will” with “may”.
Para 13.4	Capitalise “Officer”
Part 3B	Committee Functions and Responsibilities
Para 4 and 4.1	Delete paragraph
Para 5.1	Capitalise “Budget” and “Committee” as defined terms.
Para 5.2	Capitalise “Committee” and “Sub-Committee” as defined terms. Replace “7” with “seven”
Para 5.3	Capitalise “Committee”, “Extraordinary Meetings” and “Members” as defined terms. Replace “he/she” with “they”
Para 5.4.1	Capitalise “Quorum” and “Committee” as defined terms. Rewrite paragraph to say “The Quorum for the Committee shall be three Members.”

Para 5.5.1	Delete "in May" Capitalise "Committee" and "Civic Year" as defined terms.
Para 5.5.2	Replace "he/she" with "they" Add "during that Civic Year" Add "(iii) they are removed by a resolution of Council."
Para 5.6	Change title from "Remit" to "Terms of Reference"
Para 5.6.1	Add new Terms of Reference "(a) assist the Council and the Executive in the development of the annual Budget; (b) Approving the Council's statement of accounts; (c) Consider the effectiveness of the council's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements; (d) Seek assurances that action is being taken on risk-related issues identified by auditors and inspectors; (e) Be satisfied that the council's assurance statements, including reviewing the Annual Governance Statement against the good governance framework, properly reflect the risk environment and any actions required to improve it; (f) Approve internal audit's strategy, its plan and monitor its performance; (g) Approve the shared anti-fraud service strategy, its plan and monitor its performance

	<ul style="list-style-type: none"> (h) Review summary internal audit reports and the main issues arising and seek assurance that action has been taken where necessary; (i) Consider the annual report of the head of internal audit; (j) Consider the reports of external audit (including the annual audit letter) and inspection agencies, and monitor management action in response to the issues raised; (k) Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies and that the value of the audit process is actively promote; (l) Review the financial statements, external auditor’s opinion and reports to Members, and monitor management action in response to the issues raised by external audit; (m) Have oversight of the council’s commercial projects”
Para 5.6.2	<p>Delete paragraphs (a) – (j) and replace with:</p> <ul style="list-style-type: none"> (a) Consider budget monitoring reports and risk management reports; (b) Lead the cross Member scrutiny and consideration of the council’s draft annual budget and medium term finance strategy; (c) Scrutinise the council’s Annual Investment Strategy, Annual Capital Strategy, Mid-Year Treasury Management Report and Annual

	<p>Treasury Management Report and through review gain assurance that systems of governance and control for Treasury Management are effective;</p> <p>(d) Where appropriate, assisting the Council and the Executive in the development of its budget and policy framework by in-depth analysis of financial, procurement and governance related policy issues;</p> <p>(e) Review anti-fraud and corruption controls and arrangements, including the whistleblowing process"</p>
Para 5.6.3	Delete paragraph
Para 5.7	Delete paragraph
Para 6.3	Capitalise "Ordinary Meetings" as defined term.
Para 6.4	Add in Quorum rules "The Quorum for the Committee shall be three members or one third whichever is fewer of the committee membership as set out in Part 4A of the Constitution."
Para 6.5	Capitalise "Officers" and "Terms of Reference" as defined terms.
Para 6.5(k)	Capitalise "Member" as defined term.
Para 7.2	Capitalise "Member" as defined term.
Para 8.3	Capitalise "Member" as defined term.
Para 8.5	Replace "he or she" with "they" Capitalise "Officer" as defined term.
Para 8.8	Capitalise "Member" as defined term.
Para 8.9	Capitalise "Clear Days" as defined term.
Para 8.15	Capitalise "Committee" as defined term.
Para 8.17	Capitalise "Quorum" as defined term.
Para 10	Change of committee name from "East Herts/North Herts/Stevenage/Hertsmere CCTV Joint Committee

	Executive Board” to “East Herts/North Herts/Stevenage/Hertsmere CCTV Joint Executive Committee”
Para 10.1 – 10.19	Terms of Reference were changed so new terms have been inserted.
Para 11.2	Capitalise “Terms of Reference”, “Committee” and “Budget” as defined terms.
Para 11.3	Capitalise “Council” and “Committee” as defined terms.
Para 11.5	Add “Any” Capitalise “Quorum” and “Members” as defined terms.
Para 11.9	Capitalise “Budget” as defined term.
Para 11.10	Capitalise “Terms of Reference” as a defined term.
Para 12	Delete Financial Sustainability Committee. No longer a committee of the Council, operating as an advisory board.
Part 3C	Officers’ Responsibility for Functions
Para 1	Lower case ‘c’ on council and capitalise ‘T’ on Leadership Team Capitalise “Budget” and “Policy Framework” as defined terms.
Para 2.1	Capitalise “Delegated Powers” as defined terms.
Para 3	Capitalise “Delegated Powers” and “Officers” as defined terms.
Para 3.1	Replace “his or her” with “their” Capitalise “Delegated Powers” as defined term.
Para 3.2	Capitalise “Delegated Powers” and “Officers” as defined terms.
Para 3.3	Capitalise “Delegated Powers” and “Officers” as defined terms. Make “Member” plural
Para 4.1	Replace ‘portfolio holder’ with ‘Executive Member’ Capitalise “Delegated Powers” and “Officers” as defined terms. Addition of a comma

Para 5.1	Capitalise "Officers" as a defined term.
Para 6.1	Re-numbered as 6.1.1, 6.1.2 etc
	Capitalise "Delegated Powers" as a defined term.
	Make "council" lower case
Para 7.1	Replace 'Scheme' with 'Constitution'
Para 7.3	Replace 'a deputy' with 'the Deputy Chief Executive'
Para 8.1	Capitalise "Officers" as a defined term
	Add "when acting in accordance with the Rules of Procedure as described elsewhere in this Constitution."
Para 8.2	Reformatted paragraph so easier to read
Para 8.3	Reformatted paragraph so easier to read
	Capitalise "Tender" as a defined term.
Para 8.4	Reformatted paragraph so easier to read
Para 8.5	Reformatted paragraph so easier to read
	Capitalise "Officers" as defined term.
	Add "and orders"
	Delete "and licence applications"
	Add "or licences or consents"
Para 8.6	Add other areas of responsibility
	<u>Head of Operations</u>
	ADD: Recycling and Street Cleansing, Grounds Maintenance, Parking Enforcement, Stray Dogs, Abandoned Vehicles
	DELETE: Economic Development, Market operations
	<u>Head of Communication, Strategy and Policy</u>
	DELETE: Web, New Media, Information, Equalities
	Agenda, Graduate Support
	<u>Head of Housing and Health</u>
	REORDER: Environmental Health, Licensing, Safeguarding
	ADD: Market operations
DELETE: Engineering and Drainage	
Para 9.1	Lower case 'c' on council
Para 9.2	Replace "he or she is" with "they are"
	Capitalise "Officers" as defined term

Para 9.2(b)	Replace "his/her" with "their"
	Capitalise "Officers" as a defined term.
Para 9.2(m)	Capitalise "Officers" as a defined term.
Para 9.2(o)	Lower case 'l' on inspectors
	Capitalise "Officers" as a defined term.
Para 9.2(q)	Capitalise "Proper Officer" as defined term.
Para 10.1	Replace "his/her" with "their"
Para 11.2	Add 'interpret' and 'and policies'
Para 11.5	Delete paragraph and added to para 11.2
Para 12.2	Replace "to issue a Certificate of Opinion in connection with the Local Government and Housing Act 1989 – Politically Restricted Posts" with "advise on all applications from council employees (or prospective employees) for exemption from political restriction in respect of their posts including, where appropriate, signing the Certificate of Opinion required by the independent adjudicator under the Local Government and Housing Act 1989"
Para 12.4	Add "act as Chief Legal Officer to the Council and" and delete "against any person or body"
Para 12.5	Add new paragraph. "To authorise changes to the Constitution to reflect resolutions of Council or of the Executive, and changes of fact and law, or if required for practical purposes, in order to ensure the proper administration of the Council, subject to regular notification to all Members of such changes."
Para 12.6	Replace "To take all necessary steps to defend the council in legal proceedings against the council brought by any person or body, including in Employment Tribunals" with "to authorise the institution, defence, withdrawal or settlement of any legal proceedings, civil or criminal, including Employment Tribunals (other than for Health and Safety proceedings, Council tax, non-domestic rates and sundry debts) at their discretion".
Para 12.7	Add new paragraph. "To negotiate and settle any

	claim or disputes without recourse to Court proceedings including the use of alternative dispute resolution”.
Para 12.8	Add new paragraph. “To authorise officers of the council to appear before the Magistrates’ Court or County Court District Judges”
Para 12.9	Add “and/or retain the services of other experts or external solicitors”
	Replace “he or she” with “they”
Para 12.10	Delete paragraph and now contained in paragraph 12.5.
Para 12.11	Capitalise “Officers” as a defined term.
Para 12.12	Add new paragraph. “To undertake the role of Senior Responsible Officer under the Council’s RIPA Policy”.
Para 12.13	Add “including for external bodies”
Para 12.13	Delete paragraph “to authorise officers of the Council to prosecute or defend or appear in any legal proceedings by virtue of the provisions of Section 223 of the Local Government Act 1972.” Now incorporated into paragraph 12.7
Para 12.14	Delete paragraph “to exercise the required discretion whether or not to prosecute or defend legal proceedings on behalf of the council in accordance with Section 222 of the Local Government Act 1972”. Now incorporated into paragraph 12.7.
Para 12.15	Replace “on behalf of the council” with “and where appropriate, affix the Common Seal of the Council to”
	Add “and seal” to the end of the paragraph.
Para 12.19	Add new paragraph. “To appoint the members of the Independent Remuneration Panel, having first consulted the Chief Finance Officer and Group Leaders as to any reason why someone may not be considered independent”
Para 13.15	Add “including council offices”
Para 13.15	Add new paragraph “To manage the council’s

	property portfolio.”
Para 13.18	Delete paragraph. “The letting of council offices”. Combined in paragraph 13.15
Para 13.19	Delete paragraph. “To make suture updates of the room hire pricing structure.”
Para 13.21	Add new paragraph “To authorise officers to discharge land drainage functions under the Public Health Act 1936 and the Land Drainage Act 1991”
Para 13.22	Add new paragraph “To approve and submit the annual National Non-Domestic Rates (NNDR1) return to the Government”
Para 14	Amend job title to “Head of Revenue and Benefits Shared Service”
Para 14.4(b)	Delete “or” Add “and any other legally binding irrecoverable debt)” Add “(including council tax, housing benefit and national non-domestic rates)”
Para 14.5	Add “housing benefits, and” Delete “or” Add “and any other legally irrecoverable debt at any level.”
Para 14.10	Add new paragraph “To apply powers relevant to Housing Benefit, Council Tax reduction, Council Tax and Business Rates included in the above stated regulations, and any other relevant regulations (and any amendments thereto) other than where Executive or Council approval is required.”
Para 15.1	Capitalise “Ward” and “Delegated Powers” as a defined terms.
Para 15.3	Capitalise “Delegated Powers” as a defined term.
Para 15.23	Capitalised “Delegated Powers” and “Ward” as defined terms.
Para 16.4	Delete “to determine a scheme of allocation of social and affordable housing” and “private”

Para 16.6	Add new paragraph "To make representation on or objections to housing development applications which are not in the public interest in relation to meeting local housing need."
Para 16.8	Replace paragraph with "To make arrangements for and oversee the making of grants and loans and taking of other actions to enable the improvement or return to use of residential properties, including Disabled Facilities Grants."
Para 16.8 – 6.11	Delete paragraphs
Para 16.9	Add new paragraph "To take action under the Crime and Disorder Act 1998, Police and Justice Act 2006 and Anti-Social Behaviour, Crime and Policing Act 2014 or associated guidance and/or replacement legislation to tackle anti-social behaviour, acting in consultation with the Head of Legal and Democratic Services as appropriate."
Para 16.10	Add "to the council" Capitalise "Officers" as a defined term.
Para 16.11(b)	Delete "in consultation with the Executive or Executive Member"
Para 16.14	Replace "CCTV Services" with "CCTV camera network"
Para 16.15	Add new paragraph "To determine the case for activities under the Regulation of Investigatory Powers Act 2000 or associated guidance and/or replacement legislation, including acting in consultation with the Head of Legal and Democratic Services, applications to conduct covert surveillance."
Para 16.16	Delete "functions under the Crime and Disorder Act 1998, Police and Justice Act 2006 and Anti-Social Behaviour, Crime and Policing Act 2014" Add "functions to promote" and "and deter anti-social behaviour and fly-tipping."

Para 16.17	Capitalise "Committee" as defined term.
Para 16.18	Delete "all".
	Add "unless reserved for the Licensing Committee or Licensing Sub-Committee"
Para 16.19	Replace "enforce the enactments arising from the legislation set out in Appendix A" with "apply the powers and duties of enforcement afforded to a District Council in all legislation relating to Licensing and Environmental Health matters."
Para 16.20	Replace "to be issued in relation to the legislation in Appendix A, subject to the matter being referred to the Licensing Committee where policy or financial considerations are involved that have not previously been determined by the Committee or other appropriate body of the council" with "to apply any power or duty afforded to a District Council in legislation relating to Licensing and Environmental Health unless reversed for determination by another body of the Council."
Para 16.21	Replace "of all licences and registrations listed in Schedule I below upon appropriate conditions" with "or variation of all licences, consents and registrations set out in legislation pertaining to Licensing and Environmental Health matters unless in the case of contests matters reserved for determination by another body of the Council."
Para 16.23	Delete paragraph
Para 16.24	Delete paragraph
Para 16.25	Delete paragraph
Para 16.26	Delete paragraph
Para 16.27	Delete paragraph
Para 16.28	Delete paragraph
Para 16.22	Add new paragraph "To authorise suitably qualified and experienced Officers to act as inspectors and serve and sign in their own name all notices and enforcement instruments as related to the powers

	and duties afforded to District Councils in Licensing and Environmental Health legislation.”
Para 16.40	Delete paragraph “To authorise officers to discharge land drainage functions under the Public Health Act 1936 and the Land Drainage Act 1991”. This has been moved to paragraph 13.21.
Para 16.41	Add “promote safeguarding and respond to safeguarding issues raised.”
Para 16.43	Delete paragraph “To award Arts and Sports Grants in accordance with established criteria and council policy and in consultation with the Head of Operations as appropriate”. This is already covered under 16.42
Para 16.43	Add new paragraph. “To make arrangements to promote environmental sustainability and reduce carbon emissions within the council and throughout the District.”
Para 17.14	Capitalise “Officers” as a defined term.
Para 17.15	Capitalise “Officers” as a defined term.
Para 17.18	Add “and orders”
	Capitalise “Officers” as a defined term.
Para 18	Replace “ICT and Business Systems” with “ICT Strategic Partnership Manager” due to change in job title.
Para 18.2	Capitalise “Officers” as a defined term.
Para 18.4	Add new paragraph. “To advise on and provide resilient ICT hardware and software solutions to maximise the efficiency of the council’s operations.”
Para 19.5	Add new paragraph. “To administer the council’s Complaints Policy and liaise with the Ombudsman when complaints have been escalated.”
Para 19.6	Add new paragraph. “To take action against persistent and unreasonable complainants.”
Appendix A/B	Delete appendices.
Part 3E	Executive Portfolio Structure
Para 1.1	Replace “Executive functions will be performed by the

	Executive” with “Executive functions will be determined by Executive Members whether acting collectively or individually in line with the delegations in paragraph 1.3 of this section below” for clarity.
	Add “in line with the delegations in paragraph 1.3 of this section below”
Para 1.2	Neighbourhoods. Delete “affordable” and “Home Improvement Agency”
	Add “policy”
Para 1.3(f).	Replace “White and Green” with “Green and White” to reflect the order they are submitted.

Amendments/changes to Part 4 of the Constitution

Part 4A	Council Procedure Rules
	Reorder Council procedure rules contents list
Para 1.1	Add “:00pm” to 7pm, standardised
Para 1.2	Delete “or remotely using information technology, in accordance with contingency provisions allowed for under legislation”
Para 1.3	Reformatted to add bullet points.
Para 2.1.2(e)	Capitalise Head of the Paid Service.
Para 2.1.2(h)	Replace “practicable” with “necessary”
Para 2.1.2(k)	Delete paragraph “review and update the Constitution if necessary”. Constitution can be reviewed at any Council meeting, not just Annual Council.
Para 3.2(e)	Add paragraph “the Leader’s announcements”
Para 3.2(h,g,j)	Reordered to reflect order of agenda.
Para 4.1(e)	Replace “he or she has” with “they have”
Para 5.4(c)	Replace “after notification has been given by the absent Member to the Head of Legal and Democratic Services at least 24 hours before the meeting of the intended substitution” with “after notifying the Proper Office by 12 midday on the day of the meeting of the intended substitution”
Para 8.1	Replace “he or she” with “they”
Para 9.1	Replace “he or she” with “they”
Para 10.2	Addition of a definition of a petition, “where it is a formal written request signed by many people appealing to the authority in respect of a particular cause in the authority’s remit”
Para 10.3	Addition of new paragraph setting a threshold for petitions to be submitted to Council. “Petitions with 150 signatures or more will be presented to the next ordinary meeting of the Council. Petitions must be submitted by midday, three workings days before the Council meeting”.

Para 10.5	Addition of paragraph "Petitions with 50-149 signatures will be referred to the relevant Executive Member to provide a written response"
Para 10.6	Addition of paragraph "Petitions with fewer than 50 signatures will not be accepted as valid petitions"
Para 11.1	Addition of "the Leader and"
Para 11.3	Change the question deadline submission. Replace "no later than noon, two working days before the meeting" with "no later than midday, three working days before the meeting"
Para 11.5(e)	Add paragraph "contravenes the rules around the Pre-Election Period of Sensitivity, where such rules are in place from time to time".
Para 11.8	Addition of paragraph "Time allowed for questions. The time allowed for consideration of any questions submitted under 11.1 shall not exceed 15 minutes unless the Chairman consents to a longer period". Brings into line with Members' questions.
Para 12.5	Addition of new paragraph "Order of questions. Questions will be asked in the order notice of them was received, except that the Chairman may group together similar questions"
Para 12.10(d)	Addition of paragraph "a combination of any of the above"
Para 12.11	Supplementary question paragraph (12.12) split into two paragraphs. New paragraph to read "If the Member who gave notice of a question is not present at the meeting, the question shall be noted and the Member to whom the question was asked shall reply."
Para 12.13	Add new paragraph "If the Member who gave notice of a question is not present at the meeting, there will be no supplementary question after the Member to whom the question was asked has given their response"
Para 14.1	Replace "on the Tuesday of the week preceding" with "six clear working days (excluding the day of the

	meeting and day of delivery) before”
	Add “The Proper Office may, with the consent of the Chairman, refuse to accept a motion if the matter to which is relates is referred to in the Forward Plan for consideration at a later meeting or there is otherwise an intention to consider that matter at a meeting of the Council within the next three months”
Para 14.5	Add new paragraph. “Debate at Council. Motions that have been proposed and seconded shall then be the subject of immediate debate unless the Chairman of the Council considers it to be appropriate for the motion to be referred to the Executive or a Committee for consideration. In such cases the Chairman shall provide reasons for such a decision”
Para 16.5	Replace “he or she” with “they”
Para 16.6(b)	Replace “disposed of” with “decided”
Para 16.6(e)	Replace “put it” with “put the substantive motion as amended for debate”
Para 16.7 (a&b)	Replace “he or she” with “they have”
Para 16.8	Replace “he or she” with “they have”
Para 16.10 (e-f)	Add “to adjourn the debate” and “to adjourn a meeting”
Para 16.11(b)	Replace “he or she” with “they have”
Para 16.11(c)	Replace “he or she” with “they have”
Para 16.12	Replace “he or she” with “they have”
Para 18.7.2	Replace “his or her” with “their”
Para 18.7.3	Replace “his or her” with “their”
Para 20	Replace “must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance” with “will be recorded as having been present by Democratic Services”
Para 22.1	Add new paragraph “Speaking at meetings. When a Member wishes to speak at Council they must notify

	their request by hand and address the meeting through the Chairman. If more than one Member signifies their intention to speak, the Chairman will ask one to speak. Other Members must remain silent whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation”
Para 22.5	Replace “he/she” with “they” and add “reasonably”
Para 26	Replace “he/she” with “they”
Part 4B	Access to Information Procedure Rules
Para 1.1	Capitalise “Scrutiny”, “Committee”, “Regulatory Committees”, “Joint Committees” and “Sub-Committees””
	Addition of “within this part of the Constitution”
Para 3.2	Capitalise “committee” and “sub-committee”
Para 3.3	Reformat list into bullet points
	Add “of the Committee”
Para 4.1	Capitalise “clear days” as defined term.
	Addition of “and on the council’s website”
Para 5.1	Replace “Wallfields, Pegs Lane, Hertford, SG13 8EQ” with “the council offices”
	Capitalise “clear days” as defined term.
	Replace “this will be included on a” with “the”
	Replace “(where reports are prepared after the summons has been sent out” with “will be open to inspection from time to time the item was added to the agenda and the”
	Replace “councillors” with “Members”
	Delete “which will be open to inspection from the time the item was added to the agenda”
Para 6.1	Capitalise “background paper” as defined term.
	Add “may” and “hard”
Para 7.1	Add “as soon as reasonably practicable” and “hard”
Para 7.1(a)	Capitalise “confidential information” as defined term
	Delete “The council aims to publish drat minutes of meetings as soon as reasonably practicable following the meeting;”

Para 7.1(b)	Delete "They will be published and made available as soon as reasonably practicable after they have been taken;"
Para 8.1	Capitalise "background paper" as defined term.
	Capitalise "confidential information" as defined term.
	Add "of this part of the Constitution"
Para 8.2	Remove "Public inspection of background papers"
	Capitalise "background papers" as defined term.
Para 8.3	Remove "Public reports must include not only a list of background papers but at least one copy of each of the documents in the list for public inspection"
	Capitalise "background papers" as defined term.
	Replace "below" with "in this part of the Constitution"
Para 9.1	Capitalise "confidential information" as defined term.
Para 9.2	Capitalise "confidential information" as defined term.
Para 10.1	Delete "which in his or her opinion relate to items during which, in accordance with Paragraph 10, the meeting is likely not to be open to the public"
Para 11.1	Add "of this part of the Constitution"
	Capitalise "committees"
Para 12.1	Capitalise "clear days" as defined term.
Para 12.4	Replace "he or she" with "they"
	Add ":"
Para 13.1	Add "and"
Para 13.2	Add "in this part of the Constitution"
Para 14	Capitalise "members" as defined term.
Para 14.2	Capitalise "clear days" as defined term.
Para 14.3	Replace "Executive" with "Leader of the Council"
	Replace "it" with "they"
Para 15.1(a)	Capitalise "clear days" as defined term.
Para 15.2(a)	Capitalise "clear days" as defined term.
Para 16.3(b,i)	Capitalise "confidential information" as defined term.
Para 16.4	Delete "reasonable number of"
	Add "on its website"
Para 16.5	Replace "a newspaper" with "the media"

Para 17	Capitalise “key decision” as defined term.
	Capitalise “officer” as defined term.
Para 17.2	Capitalise “clear days” as defined term.
	Capitalise “key decision” as defined term.
Para 18	Capitalise “key decision” as defined term.
Para 20	Capitalise “key decision” as defined term.
	Capitalise “officer” as defined term.
Para 21	Capitalise “officer” as defined term.
	Capitalise “key decision” as defined term.
Para 22.1	Capitalise “officer” as defined term.
Para 22.2	Delete “where a request on behalf of a newspaper is made for a copy of any of the documents available for public inspection, those documents will be supplied for the benefit of the newspaper by the council on payment by the newspaper of postage, copying or other necessary charge for transmission”
Para 23.2	Capitalise “clear days” as defined term.
Para 23.3	Capitalise “officer” as defined term.
Para 23.4	Replace “is” with “are”
Part 4C	Budget and Policy Framework Procedure Rules
Para 1.1	Capitalise “Budget” as defined term
	Add “of this Constitution”
Para 1.2	New paragraph added for clarification “The Executive shall propose the contents of the Policy Framework to Council for approval”
Para 2	Add “policies within” for clarification
Para 2.1	Delete paragraph “Normally, in the development of the Policy Framework, the Executive will liaise with the Overview and Scrutiny Committee and the Audit and Governance Committee to ensure that matters can be given proper consideration as part of the work programmes of these committees” Add new paragraph “The Executive will publicise, by including in the Forward Plan, a timetable for making proposals to the

	Council for the adoption of any new plan, strategy or budget that forms part of the Budget and Policy Framework and its arrangement for consultation.”
Para 2.2	Delete paragraph “However, the formal process by which the Policy Framework shall be developed is as follows” Add new paragraph “The Chair of the Overview and Scrutiny Committee and Audit and Governance Committee will be notified at the same time. As the Scrutiny Committees have responsibility for fixing their own work programme, it is open to them to investigate, research or report in detail with recommendations before the end of the consultation period”
Para 2.3	Delete “prior to Executive consideration” Add new paragraph “The Executive will ensure that the consultation process is adequate and allows for meaningful dialogue with those involved”
Para 2.7	Replace “drawn attention to the” with “a copy will be given to the”
Para 2.8	Reformat paragraph to split into options (a) and (b) Replace “alternatively...the decision must inform the Leader of any objections which the Council has and require the Executive to reconsider, in the light of those objections, the proposals submitted to it” with “that the Council’s decision will become effective on the expiry of five working days after the publication of the notice of the decision unless the Leader of the Council objects to it in that period”.
Para 2.4.6	Delete paragraph “The Council’s decision will become effective on the expiry of five clear day after publication of the notice of decision, unless the Leader objects to it in that period”
Para 2.9	Replace “he or she shall” with “they will”

	Add "stating reasons for the objection"
Para 2.10	Capitalise "ordinary meeting" and "extraordinary meeting" as defined terms.
Para 2.12	Delete "in accordance with Part 2, Chapter 4 of this Constitution"
Para 2.13	Capitalise "budget" as defined term.
Para 3	Capitalise "budget" as defined term.
Para 3.1	Add "In addition to paragraphs 2.1 to 2.13"
Para 3.2	Delete paragraph to save repetition. "Prior to Executive consideration, the Executive will publicise, by including in the Forward Plan and/or by other methods, a timetable for making proposals to the Council for adoption of any plan, strategy or budget that forms part of the budget and Policy Framework, and its arrangements for consultation. The Chairman of the Overview and Scrutiny Committee and the Audit and Governance Committee will be notified. The consultation period shall in each instance be not less than six weeks"
Para 3.3	Delete paragraph to save repetition. "If either committee wishes to respond to the Executive in that consultation process then it may do so. As both committees have responsibility for fixing their own work programme, it is open to either committee to investigate, research or report in detail with policy recommendations before the end of the consultation process"
Para 3.5	Delete paragraph "Preparation for the formal budget meeting shall be as follows"
Para 3.4 becomes para 3.2	"If both committees wish to respond to the Executive, a joint meeting of the scrutiny committees may be called."
Para 4	Capitalise "budget" as defined term.
Para 4.1	Capitalise "committees" and "officers" as defined terms.

Para 4.4	Capitalise "officers" and "budget" as defined terms.
Para 5	Capitalise "budget" as defined term.
Para 5.1	Capitalise "officers" as defined term.
Para 5.1(a)	Add "and;"
Para 5.1(b)	Delete "this must be recorded in writing"
	Add "and"
Para 7	Capitalise "budget" as defined term.
Para 7.1	Capitalise "budget" and "officers" as defined term.
Para 8	Capitalise "budget" as defined term.
Para 8.1	Replace "seek advice from" with "request that"
	Add "prepare a report detailing their advice"
Para 8.2	Delete "Monitoring Officer's"
Para 8.2(a)	Replace "and" with "or"
Para 8.3	Replace "it" with "Council"
Para 8.3(b)	Replace "council's Financial Procedure Rules" with "budget"
Part 4D	Executive Procedure Rules
Para 1	Delete "how does the....operate?" and replace with "functions" to make sure the titles are not questions.
Para 1.3	Replace "him or her" with "them"
Para 1.3(b,c)	Delete "addresses"
Para 1.3(g)	Add "in addition to delegation already listed within this Constitution" for clarity.
Para 1.5.2	Capitalise "Constitution" and delete "annually"
Para 1.5.3	Capitalise "Chairman"
Para 1.7	Delete "When and where?" to make sure the titles are not questions.
Para 1.9	Replace "How are decisions to be taken by the Executive?" with "Decisions taken by the Executive"
Para 2	Replace "How are Executive meetings conducted?" with "Executive meetings"
Para 2.1	Delete "Who presides?", Replace "he/she is" with "they are"
Para 2.2	Delete "Who may attend?"
Para 2.2.2(b)	Replace "him or her" with "them"

Para 2.2.2(c)	Replace "his or her" with "their"
Para 2.2.2(e)	Replace "his or her" with "their" and "he or she" with "they are"
Para 2.3.1(e)	Delete "or by"
	Add "or any other Member as provided at 2.5(d) below)"
Para 2.3.1(f)	Replace "reports" with "recommendations"
	Add "if any"
Para 2.3.2	Delete "may be deferred" and add "they may defer" at start of clause
Para 2.4	Capitalise "Budget"
Para 2.5(a)	Delete "standing"
	Add "when required"
Para 2.5(b, c)	Delete paragraphs b and c and combine to make new paragraph b as follows: "The Chief Executive, the Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the agenda of an Executive meeting and may require that such a meeting be convened in pursuance of their statutory duties"
Para 2.5(e)	Add new sub-paragraph. "By giving the appropriate notice on an item on the Forward Plan"
Para 3.1.1	Delete "An executive decision is a key decision if it meets the criteria listed in Part 2, Chapter 11.3.6 of this Constitution" and replace with "A key decision is an executive decision which is likely to: (a) result in new expenditure, income or savings of more than £200,000 in relation to the council's revenue or capital budget, this being deemed significant having regard to the council's overall budget; or (b) be significant in terms of its effects on communities living or working in an area consisting of two or more wards"
Para 3.2.1	Add "The"
Para 3.2.2	Add "and on the council's website"

Para 3.3.3	Add “in” and “apply”
Para 3.4	Replace “Non-key decisions are defined in Part 2, Chapter 11.3.8 of this Constitution” with “A non-key decision is an executive decision that does not meet either criterion of a key decision as defined above”
Para 3.5.2	Add “apply”
Para 3.6.1(a)	Replace “he or she” with “they”
Para 3.6.1(b)	Replace “his/her” with “their”
Para 3.6.1(c)	Replace “his/her” with “their”
Para 3.6.1(e)	Replace “Portfolio Holder” with “Executive Member”
Para 3.6.2(a)	Capitalise “Budget”
Para 3.6.2(d)	Capitalise “Disclosable Pecuniary Interest”
Para 3.7.3	Delete “by whichever means whether in private or public”
Para 3.8.3	Delete “under the provision for this in Part 4E, section 1.16 of this Constitution. Under these provisions, the decision shall not be liable to be called in under the procedure governing this in” and replace with “in line with urgency procedure at”
	Replace the Executive Decision Making Process flowchart at end of chapter.
Part 4E	Scrutiny Procedure Rules
Para 1.1	Add new paragraph “The Council is required by law to discharge certain overview and scrutiny functions. These functions are an essential component of local democracy. A Scrutiny Committee can contribute to the development of Council policies and also hold the Executive to account for its decisions. Another key part of the overview and scrutiny role is to review existing policies, consider proposals for new policies and suggest new policies.”
Para 1.2	Add new paragraph “Scrutiny should be carried out in a constructive way and should aim to contribute to the delivery of efficient and effective services that meet the needs and aspirations of local inhabitants and service users. A Scrutiny Committee should not

	shy away from the need to challenge and question decisions and make constructive criticism.”
Para 1.3	Add new paragraph “The Council has one Scrutiny Committee, the Overview and Scrutiny Committee and it is required by statute to abide by any statutory limitations placed upon it.”
Para 1.1.2	Delete paragraph
Para 1.1.3	Delete paragraph
Para 1.1.4	Delete paragraph
Para 1.4	Replace “Each” with “the”
Para 1.5.2	Add “An Extraordinary Meeting”
Para 1.6	Add Quorum paragraph “The quorum for the Overview and Scrutiny Committee shall be five voting members of the Committee”
Para 1.6	Procedure at Overview and Scrutiny Committee meetings moved to top of the chapter.
Para 1.6.2	Replace “Each Executive Member will be individually invited to give an account of his or her portfolio to the Overview and Scrutiny Committee at least once annually and will answer any questions posed by committee members. This attendance shall be in addition to any attendance required or invited by the Committee in relation to specific items of business. The time set aside for presentation of each portfolio report and questions thereon shall be at the discretion of the Chairman” with “Executive Members will be invited by the Committee in relation to items of business specific to their portfolio”
Para 1.6.3	Replaced “investigation” with “inquiry” to soften the language.
Para 1.7	Addition of “four voting members of the Committee, or...of the membership, whichever is fewer”
Para 1.8	Addition of new paragraphs ‘Public Participation’ in Overview and Scrutiny Committee.

	<p>1.8.1 In the event that a member of the public has proposed a topic for the Overview and Scrutiny Committee to scrutinise which has been accepted by the Chairman, the member of the public will have the opportunity to address the committee at the meeting that the item appears on the agenda</p>
	<p>1.8.2 Each member of the public addressing the Overview and Scrutiny Committee is allowed a maximum of three minutes in which to address the committee at the meeting that the item appears on the agenda</p>
	<p>1.8.3 Every person wishing to address the Committee should contact Democratic Services (democratic.services@eastherts.gov.uk) by 12 noon, three working days before the meeting. This must be submitted in writing.</p>
	<p>1.8.4 The Monitoring Officer reserves the right to omit or refuse a request which includes any matter which appears to be defamatory, frivolous, offensive or for any other legitimate reason."</p>
Para 1.9.1	Delete 'in May'
Para 1.9.3(i and ii)	Replace 'he/she' with 'they'
Para 1.10.1	Add "The Work Programme should retain flexibility to deal with urgent issues."
Para 1.10.2	<p>Addition of a new paragraph.</p> <p>"In setting its work programme, the Overview and Scrutiny Committee should take into account;</p> <ul style="list-style-type: none"> (i) The Council's corporate and strategic priorities; (ii) Significant policies in the forward plan; (iii) Submissions from members of the public; (iv) Submission from members/Executive; and (v) Should have a clear rationale for including items for consideration and with regard to the forward plan, ensuring that the largest,

	strategic items are given precedence”
Para 1.10.3	Add “or rapid reviews”
Para 1.11.1	Replace “he/she” with “they”
	Add “for”
Para 1.11	<p>Add new section - Terms of reference</p> <p>“The Overview and Scrutiny Committee has the following functions:</p> <p>(a) Discharge the statutory functions granted to the Committee by Section 21 of the Local Government Act 2000, as amended, plus consideration of any matter referred to it under Section 21A, plus any powers and functions conferred under Sections 21A, 21B and 21D of the Local Government Act 2000;</p> <p>(b) To review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the Executive.</p> <p>(c) To make reports or recommendations to the authority or the Executive with respect to the discharge of any functions which are the responsibility of the Executive;</p> <p>(d) Pursuant to the requirements of the Police and Justice Act 2006 (as amended) review or scrutinise decisions made, or other action taken, in connection with the discharge by the Council and other bodies and persons responsible for crime and disorder strategies for the area or in relation to a local crime and disorder matter and to make reports or recommendations to the Council for the discharge of those functions and arrange for copies of any report to be sent to those bodies and persons responsible for crime</p>

and disorder strategies for the area (and such other co-operating persons and bodies as it thinks appropriate);

- (e) To consider a local crime and disorder matter, (including in particular forms of crime and disorder that involve anti-social behaviour or adversely affecting the local environment, or the misuse of drugs, alcohol and other substances), referred to it by any member of the Council or by Executive pursuant to the requirements of the Police and Justice Act 2006 (as amended);
- (f) Question members of the Executive and/or Committees and/or officers about their views on issues and proposals affecting the area and to make reports or recommendations to the authority or the Executive on matters which affect the authority's area or the inhabitants of that area;
- (g) Liaise with external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative partnership working;
- (h) Conduct research, community and other consultation in the analysis of policy issues and possible options;
- (i) Consider mechanisms to encourage and enhance community participation in the development of policy options;
- (j) Consider the impact of policies to assess if they have made a difference;

	<p>(k) To consider the Forward Plan and comment as appropriate prior to any decision being made;</p> <p>(l) Consider reports relating to the authority's use of the Regulation of Investigatory Powers Act (2000) (RIPA);</p> <p>(m) To review performance against the Council's agreed objectives / priorities and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or service areas. To consider risk to the achievement of those objectives/ priorities. To make recommendations to the Executive;</p> <p>(n) Receive a referral from any member of the Committee, relevant to the functions of the Committee;</p> <p>(o) To appoint time limited Rapid Reviews and/or Task and Finish Groups to undertake detailed scrutiny work report back to the Overview and Scrutiny Committee to make recommendations to the Executive;</p> <p>(p) To scrutinise decisions prior to implementation in accordance with the Council's adopted call-in procedure (as detailed below)</p> <p>(q) Consider reports relating to the authority's safeguarding responsibilities"</p>
Para 1.11.1	Add "Ten working days' notice of the item should be given to the Scrutiny Officer together with sufficient information to enable the Officer advise about the nature and purpose of the item."

Para 1.11.2	Add "so long as it is within the relevant terms of reference"
Para 1.XX	<p>New section "Limitations of Scrutiny"</p> <p>"The Overview and Scrutiny Committee shall have the power to receive a Call-In made in accordance with the rules at XXX below, relevant to any of the functions of the Committee, other than:</p> <ul style="list-style-type: none"> (i) A planning or licensing decision; (ii) Any matter relating to an individual or entity where there is already a statutory right to review or appeal (but not including the right to complain to the ombudsman); (iii) Any matter which is vexatious is substantially the same as a call in previously reviewed by a meeting of the Committee in the last six months, discriminatory or otherwise unreasonable; <p>The decision as to whether the call-in is valid or falls within (i)-(iii) above rests with the Scrutiny Officer in consultation with the Monitoring Officer."</p>
Para 1.12.2	Replace "his/her" with "their"
	Capitalise "Chairman, Vice-Chairman and Task and Finish Group"
Para 1.12.3	Delete "a"
Para 1.13.1	Replace "he/she" with "they"
Para 1.14.1	Capitalise "Scrutiny Committee" and "Sub-Committee"
Para 1.14.2	Capitalise "Scrutiny Committee" and "Sub-Committee"
	Replace "he/she is" with "they are"
Para 1.14.3	Capitalise "Sub-Committee" and "Officer"
Para 1.16	Addition of new paragraphs 'Forms of Scrutiny'.

	<p>Para 1.16.1. "Scrutiny should not be limited to meetings of the Overview and Scrutiny Committee. Members will contact Executive Members and Officers to gather information to facilitate informed and focused discussion at Committee. These informal enquiries may assure Members at an early stage and allow the Committee's limited time to be used more appropriately"</p>
	<p>Para 1.16.2. "The Overview and Scrutiny Committee have the following tools to utilise when scrutinising a topic and should be considered in the following order: a. A report via the Overview and Scrutiny Committee b. Rapid Review c. Task and Finish Group d. Call-in"</p>
<p>Para 1.17</p>	<p>Addition of new sub-paragraphs on 'Rapid Reviews'</p> <p>1.17.1 Rapid reviews can be set up by the Overview and Scrutiny Committee to work on a short, highly focussed piece of work which cannot be completed in Committee.</p> <p>1.17.2 Only one Rapid Review should be set up at one time and they should generally be limited to one meeting, which may be supported by Officers</p> <p>1.17.3 Rapid Reviews are informal bodies and shall have no decision making powers</p> <p>1.17.4 The Rapid Review will produce a report for consideration by the Overview and Scrutiny Committee at the end of the review</p>
<p>Para 1.18</p>	<p>Para 1.18. Addition of new paragraphs on "Task and Finish Groups"</p> <p>1.18.1 Task and Finish Groups will be set up by the Overview and Scrutiny Committee to carry out detailed work in relation to specific topics or issues. The Overview and Scrutiny Committee will decide what Task and Finish Groups are set up and what their terms of reference will be. These will include the</p>

	membership of the group and the proposed dates of reporting to the Overview and Scrutiny Committee.
	1.18.2 Only one Task and Finish Group should be set up at one time and they should be time limited and have duration of no more than 8 weeks.
	1.18.3 Task and Finish Groups are informal bodies and shall have no decision making powers
	1.18.4 Task and Finish Groups will keep the Overview and Scrutiny Committee informed of their progress. They will produce a report for consider by the Overview and Scrutiny Committee at the end of the review
Para 1.19.3(iii)	Replace 'he/she' with 'they'
Para 1.19.3(iv)	Capitalise 'Member'
Para 1.19.23(v)	Capitalise 'Member'
Para 1.21.1	Delete paragraph
Part 4F	Officer Employment Procedure Rules
Para 1.1.3	Capitalise "officer" as a defined term.
Para 1.1.4	Capitalise "officer" as a defined term.
Para 3.0	Replace "Head of Paid Service" with "Chief Executive"
Para 6.0	The following section details a new procedure with dealing with the dismissal of Statutory Officers
	Add "Statutory Officers"
Para 6.1	Delete "The Chief Officer Recruitment Committee shall be the "Panel" referred to in Schedule 3 paragraph 1(e)"
Para 6.2	Replace "Investigator" with "Chief Officer Recruitment Committee"
Para 6.3	Replace paragraph "Members will not be involved in disciplinary action against any officer below Chief

	Officer level, except where such involvement is necessary for any investigation or inquiry into alleged misconduct. Such disciplinary action will be undertaken by the Head of Paid Service or an officer nominated by him/her" with "A Statutory Officer may not be dismissed by the authority unless the procedure set out in paragraphs 6.4-6.14 is complied with."
Para 6.4	New paragraph "The Chief Officer Recruitment Committee will investigate any allegations against a Statutory Officer."
Para 6.5	New paragraph "The Chief Officer Recruitment Committee must appoint an Independent Investigator taken from a list held by the National Joint Secretaries."
Para 6.6	New paragraph "The Independent Investigation will investigate and prepare a report to be considered by the Chief Officer Recruitment Committee."
Para 6.7	New paragraph "The Chief Officer Recruitment Committee will meet to consider the report and give the Statutory Officer an opportunity to state their case and to question witnesses where relevant."
Para 6.8	New paragraph "The Chief Officer Recruitment Committee will have the following options available to them: (a) Take no further action; (b) Recommend informal resolution or other appropriate procedures (c) Refer back to the Independent Investigator for further investigation and report; (d) Take disciplinary action against the Statutory Officer short of dismissal; or (e) Propose dismissal of Statutory Officer to Full Council"
Para 6.9	New paragraph "If the Chief Officer Recruitment Committee propose dismissal of the Statutory Officer

	to Full Council, this must be considered by the Independent Panel.”
Para 6.10	New paragraph “The authority must invite relevant independent persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.”
Para 6.11	New paragraph “Subject to paragraph 6.12, the authority must appoint to the Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph 6.10 in accordance with the following priority order: (a) A relevant independent person who has been appointed by the authority and who is a local government elector; (b) Any other relevant independent person who has been appointed by the authority; (c) A relevant independent person who has been appointed by another authority or authorities”
Para 6.12	New paragraph “The authority is not required to appoint more than two relevant independent persons in accordance with paragraph 6.11 but may do so.”
Para 6.13	New paragraph “The authority must appoint any Panel at least 20 working days before the meeting of the Council at which the recommendation for dismissal is to be considered. The Panel will review the decision and prepare a report for Council.”
Para 6.14	New paragraph “The Council must consider the proposal that the Statutory Officer be dismissed. Before the taking of a vote at the relevant Council meeting on whether or not to approve such a dismissal, the authority must take into account: (a) any advice, views or recommendations of the Panel; (b) the conclusions of any investigation into the proposed dismissal; and (c) any representation from the Statutory Officer”

Para 6.15	New paragraph "Any remuneration, allowances or fees paid by the authority to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person's role as independent person under the Localism Act 2011."
Para 6.4 (previous)	Delete paragraph "The Chief Officer Recruitment Committee will make recommendations to Council for the dismissal of the Head of Paid Service, Chief Financial Officer or Monitoring Officer and Council must approve that dismissal before notice is given to that person."
Para 6.5 (previous)	Delete paragraph "The Chief Officer Recruitment Committee shall approve any disciplinary action, short of dismissal, against the Head of Paid Service, Chief Financial Officer or Monitoring Officer."
Para 6.19	New paragraph "Members will not be involved in disciplinary action against any Officer below Chief Officer level, except where such involvement is necessary for any investigation or inquiry into alleged misconduct. Such disciplinary action will be undertaken by the Head of Paid Service or an Officer nominated by them."
Part 4G	Financial Procedure Rules
Para 1.3	Capitalise "officers" as defined term. Capitalise "agents" as defined term.
Para 1.5	Format paragraph into bullet points
Para 2.0	Capitalise "officers" as defined term. Capitalise "member" as defined term.
Para 3.1.2(b)	Add "ensure that"
Para 3.1.2(c)	Add "ensure that"
Para 3.1.2(h)	Capitalise "member" as defined term.
Para 3.1.2(j)	Replace "HM Customs and Excise" with "HM Revenues and Customs"
Para 3.1.3	Add new paragraph "The Chief Financial Officer is the Officer designated by the Council as being responsible

	under section 151 of the Local Government Act 1972 for the proper administration of the council's financial affairs"
Para 3.2.1	Capitalise "officers" as defined term.
Para 3.2.2(a)	Add "Records should, wherever possible, be stored on the financial management system"
Para 3.2.2(c)	Add "including forecasting annual spend"
Para 3.2.2(d)	Capitalise "officers" as defined term.
Para 3.3.1	Replace "to" with "with"
	Add "the Monitoring Officer"
Para 5.4	Capitalise "committee" as defined term.
Para 5.5	Capitalise "committee" as defined term.
Para 5.6	Replace "recommended by the Executive to the Council. The recommendation must include the full financial implications of the proposal" with "delegated to the relevant Committee or Officer as stated in Appendix 1"
Para 6.2.1	Add "or via the...facility on"
Para 6.2.2	Replace "where possible" with "or other electronic funds transfer"
Para 6.2.4	Capitalise "officers" as defined term.
Para 6.2.6	Capitalise "officers" as defined term.
Para 7.6	Replace "£10,000" with "£50,000".
Para 8.1	Replace "FPRs" with "Financial Procedure Rules"
	Capitalise "agent" as defined term.
Para 10.1	Capitalise "officers" as defined term.
Para 10.2	Capitalise "officers" as defined term.
Para 10.4	Add "ly" to direct.
Para 11.3(c)	Capitalise "officers" as defined term.
Para 11.7	Capitalise "officers" as defined term.
Para 12	Change title from "Property" to "Assets"
Para 12.1	Replace "Head of Strategic Finance and Property" with "Chief Financial Officer"
	Delete "and"
	Add "vehicles and equipment"

Para 12.4 now 12.3	Move paragraph “Where land or buildings are no longer required for their intended use the Asset Registrar shall report to the Executive on the suggested future use, or disposal, of the asset.”
Para 12.5	Capitalise “officers” as defined term.
	Delete “officers and”
	Appendix 1
2 nd row	Delete row “Approval of annual outturn and subsequent required actions” as delegated to Audit and Governance Committee.
6 th row	Increase purchase order approval and/or contract award to £1,000,000 for Heads of Service and £250,000 for Service Managers.
8 th row	Virement within a service’s approved budget. Chief Executive to delegate to Chief Financial Officer and no financial limit for Chief Financial Officer.
9 th row	Virements across services, within overall approved budget levels. Chief Executive to delegate to Chief Financial Officer and no financial limit for Chief Financial Officer.
10 th row	Write offs/waivers of income due. Increase to £50,000 for the Chief Financial Officer.
11 th row	Increase limit for Chief Financial Officer from £25,000 to £50,000 and increase for Insurance Team from £5,000 to £10,000.
Part 4H	Contract Procedure Rules
Para 1.1	Capitalise ‘Contract Procedure Rules’
Para 1.2	Addition of “For the purposes of these CPRs any procurement that is not identified as out of scope in paragraph 3 below is a “Relevant Contract” and these CPRs apply to it.”
Para 1.3	Capitalise ‘Officers’
Para 1.5	Addition of ‘provisions of the’ and ‘including the Financial Procedure Rules’
Para 1.6	Delete ‘and are to be considered alongside the Financial Procedure Rules’

Para 2.1	Delete 'It is essential that'
	Capitalise 'The'
	Add "notwithstanding the withdrawal of the UK from the EU:"
Para 2.2	Add new paragraph "It is essential to observe the EU Framework and principles underlying the public procurement regime (the procurement procedures, financial thresholds etc.), as they have continued to apply from Brexit. The EU financial thresholds ("Relevant thresholds") for the purposes of the applications of the Public Contracts Regulations 2015 (as amended) remain relevant and must be adhered to. Upon the implementation of any new procurement rules and laws, these CPRs will be updated accordingly to reflect any relevant changes in UK law."
Para 2.3	Add new paragraph. "As of 1 st January 2021 the council must publish all new public procurement notices (including a Contract Award notice) above the relevant (EU) financial threshold in the new UK e-notification service, Find a Tender, in place of the Official Journal of the European Union's Tenders Electronic Daily (OJEU/TED). The council must also continue to follow the requirements for publication on Contract Finder as applicable. In relation to procurement procedures that were launched prior to 1 st January 2021 and new contracts awarded under frameworks or dynamic purchase systems that were established prior to 1 st January 2021, the previous arrangements for the publication of notices still apply."
Para 2.4	Add "public procurement regime requirements"
Para 2.4(f)	Capitalise "Non-Commercial Considerations" and "Contracting Decision" as these are defined terms.
Para 4.1	Replace "from" with "under"
	Add "where"
	Add "By granting an exemption the council can only

	waive the rules established by it as set out in the Constitution. The council cannot waive UK law.”
Para 4.2	Replace “a” with “the value of a”
	Delete “value”
	Add “relevant financial”
Para 4.3	Replace “a” with “the value of a”
	Delete “value”
	Add “relevant financial threshold”
	Capitalise “Contracting Decision” as a defined term.
Para 4.4	Replace “Threshold” with “relevant threshold”
Para 4.6	Add new paragraph “Exemptions to any of the council’s rules must be sought in advance of any contractual agreement, placement of an order, use of works, services of purchase of supplies.”
Para 5.1	Add “including any options of extensions”
	Add “there is”
	Capitalise “Total Value” and “Award Procedure” as defined terms.
Table at 5.1	Add “subject to the new requirements on publication of notices for new procurement activities” on last row
	Capitalise “Formal Quotation”, “Quotations” and “Formal Tender” as defined terms.
Para 6.1	Add “Currently the EU framework and principles underlying the public procurement regime continue to apply notwithstanding the withdrawal of the UK from the EU”.
Para 7.1	Add “and based on the council’s Standard Terms and Conditions unless the council’s standard contracts are deemed unsuitable. If a contractor or a supplier requires that the contract is entered into based on its standard terms of business, legal advice must be sought first on the suitability of these terms and any amendments that might be necessary”
Para 7.2	Add new paragraph. “A contract signed by both parties (or sealed by the council) must be put in place upon the completion of

	all procurement exercise. Every contract novation, contract extension or contract variation must be effected in writing using an appropriate legal agreement. Please refer to the Procurement Team or Legal Service for such templates and guidance."
Para 7.3	Add "and Legal Service" (a) Capitalise "Total Value" as defined term
Para 7.4	Add "as a minimum"
Para 7.4(e)	Add new sub-paragraph "a start and end date and details of any extension options permissible; and"
Para 8.1.3	Capitalise "Award Criteria" and "Value for Money"
Para 8.1.4(b)	Delete "from the European Economic Area or"
Para 8.1.4(c)	Capitalise "Non-Commercial Considerations" as defined term
Para 8.2.1(f)	Replace "the Official Journal of the European Union (OJEU), Tenders Electronic Daily (TED) (even if there is no requirement within the EU Procedure" with "the new UK e-notification service, Find a Tender (FTS)"
Para 8.2.2	Capitalise "Bidders" and "Tender" as defined terms.
Para 8.2.3	Capitalise "Quotation", "Tender" and "Invitation to Tender" as defined terms.
Para 9	Capitalise "Procedure"
Para 9.2.1	Capitalise "Quote" as defined term.
Para 9.2.4	Capitalise "Quotation" and "Bidder" as defined terms.
Para 9.3.1	Capitalise "Formal Quotation" as defined term.
Para 9.3.2	Capitalise "Quotation"
Para 9.3.3	Capitalise "Formal Quotation" and "Quote" as defined terms.
Para 9.3.4	Capitalise "Clarification", "Quotation" and "Bidder" as defined terms.
Para 9.3.6	Capitalise "Formal Quotation" as defined term.
Para 9.3.7	Capitalise "Formal Quotation" as defined term.
Para 9.3.8	Add new paragraph "A contract under the EU/Relevant threshold for the purposes of the PCR will not need advertising in Find a Tender, but will generally need to be advertised in

	Contracts Finder if the contract is above £25,000 unless exceptions apply."
Para 9.4	Add "Relevant"
Para 9.4.1	Replace "£75,001" with "£75,000" Add "and in line with publication requirements for contracts above £25,000"
Para 9.5.2	Capitalise "Bidders" as defined term.
Para 9.5.3	Capitalise "Clarification" as defined term.
Para 9.6.1	Add "Relevant" Add "Public Contracts Regulations 2015 (as amended) (the PCR) and" Add "under the PCR"
Para 9.6.2	Add "Relevant" Capitalise "Tender" as defined term.
Para 9.6.3	Add "Relevant" Replace "EU Procedures" with "the PCR" Replace "Official Journal of the European Union (OJEU) which is available for contractors in all member states to see and respond to" with "new UK e-notification service, Find a Tender (FTS)" Replace "EU Procurement Rules" with "the PCR" Add "and Legal Service" Add "value of a proposed contract exceeding the...Relevant" Delete "being exceeded"
Para 10.1	Capitalise "Value for Money" as defined term.
Para 10.2	Add "Relevant" Replace "under the EU Procedure" with "in accordance with the PCR" Replace "EU Procedures" with "PCR"
Para 10.4	CHECK WITH MEMBER GROUP
Para 10.4.2	Add new paragraph "Framework Agreements that have been established by other public sector bodies that are lawfully accessible to the council should be used strictly in

	accordance with the terms and conditions of the relevant Framework Agreement. When using frameworks set up by other public sector bodies, Officers must undertake due diligence with assistance from the Procurement Manager before using a framework."
Para 11.1	Capitalise "Quote", "Invitation to Tender" and "Contract Award" as defined terms.
Para 11.2	Capitalise "Total Value", "Quote", "Quotations", "Clarification", "Award Criteria" and "Bidder" as defined term.
	Add at (f) "also a copy of the final contract to be provided to procurement for safekeeping"
Para 11.3	Capitalise "Total Value", "Contracting Decision", "Award Criteria", "Invitation to Tender" and "Bidder" as defined terms.
Para 11.7	Add "Relevant"
Para 12	Capitalise "Bidder"
Para 12.1	Capitalise "Quotations", "Tender" and "Bidders" as defined terms.
Para 12.2	Capitalise "Award Criteria" and "Officers" as defined terms.
Para 12.3	Capitalise "Quotations", "Tenders", "Bidder", "Quote" and "Invitation to Tender" as defined terms.
Para 12.4	Capitalise "Quotations", "Tenders", "Budget" and "Bidder" as defined terms.
Para 12.5	Capitalise "Total Value" and "Bidder" as defined terms.
	Add "Relevant"
Para 12.6	Capitalise "Award Criteria" and "Bidder" as defined terms.
Para 12.7	Capitalise "Bidder" and "Contracting Decision" as defined terms.
Para 13	Capitalise "Quotes" and "Tenders" as defined terms.
	Add "Relevant Threshold where appropriate"
Para 13.1	Add "However, the council must at all times act transparently, in accordance with its published

	procurement documents and without discrimination”
	Capitalise “Bidders”, “Tenders” and “Value for Money”
Para 13.3	Capitalise “Formal Quotation”, “Quotation” and “Tenders” as defined terms.
Para 14	New paragraphs on “Variations and Extensions of Contracts”
	<p>14.1 “In certain circumstances it is possible to modify or extend an existing contract that is subject to the PCR (that is above the EU/Relevant Threshold) without triggering a new procurement exercise. Any such modification of a contract must be in accordance with Regulation 72 of the PCR, which permits an amendment, extension or renewal of an existing contract where:</p> <p>14.1.1 the original procurement documents contain provisions for a variation or extension of the contract in a “clear, precise and unequivocal review clause” (providing the overall nature of the contract is not altered as a result of the change);</p> <p>14.1.2 there is a need to purchase new services, supplies and works from the provider and a change of provider cannot be realistically made for economic or technical reasons and would cause significant inconvenience or substantial duplication of the council’s costs. (This is subject to the condition that each change does not increase the original value of the contract by more than 50 per cent);</p> <p>14.1.3 Circumstances have arisen which the council could not reasonably have foreseen and that require an amendment to the existing contract. (In this case the proposed change cannot alter the overall nature of the contract and any increase to the original value of the contract as a result of the change must not exceed 50 per cent)</p> <p>14.1.4 a new provider is required to replace the original provider under the contract as a result of</p>

	<p>corporate restructuring, including takeover, merger, acquisition or insolvency leading to a universal or partial succession of the original provider, or because this change was envisaged in a review clause in the contract;</p> <p>14.1.5 the value of the variation is both below the EU/Relevant Thresholds and less than 10 per cent of the original value of the contract in the case of a supplied or services contract or less than 15 per cent of the original value of the contract for a works contract. (One or more changes may be made under this provision provided the total value of the variations does not exceed the EU/Relevant Threshold); and</p> <p>14.1.6 the proposed variations are insubstantial”</p>
<p>Para 14.2</p>	<p>Add new paragraph</p> <p>“A contract variation is not permissible if the contract has been extended beyond the approved extension period; and if:</p> <ul style="list-style-type: none"> a) The contract would become materially different; b) The scope of the contract would extend considerably; c) The outcome of the original procurement exercise (e.g. the identity of the successful Bidder) would have been different had the variation been implemented at that time of the procurement; d) The economic balance would shift in favour of the provider; or e) A new provider would replace the original provider for any reason other than those already identified in paragraph 14.1.5 above.
<p>Para 14.3</p>	<p>Add new paragraph</p> <p>“Advice must be sought from Procurement and Legal Services prior to varying or extending a contract to confirm that the lawful circumstances set out above</p>

	can be relied upon. Officers must also ensure that authority to vary the contract is obtained in line with the delegated authority levels set out in the Financial Procedure Rules.”
Para 14.4	Add new paragraph “A Contract Variation Notice must be published on Find a Tender”

Amendments/changes to Part 5 of the Constitution

Part 5C	Member/Officer Protocol
Para 1.3	<p>Replace “and it may not cover all situations. However, it” with “or comprehensive but”</p> <p>Capitalise “members” and “officers” as defined terms.</p>
Para 1.4	Delete “(real and perceived)”
Para 1.5	<p>Replace “Members and Officers depend on each other in carrying out the work of the Authority. Members are responsible to the electorate of East Herts and serve as long as their term of office lasts. All Members have responsibilities, as set out in the descriptions of their role; some Members have additional responsibilities, such as Chairman, Leader, Executive Members and Committee Chairman. However, all members have the same responsibilities and obligations in their relationships with officers and must be treated equally. Officers are responsible for giving full and impartial advice to the Council, as well as to individual Members, and to carry out the Council’s with under the direction and control of the Council and its various bodies”.</p> <p>With “Members and Officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct. Members are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the council.”</p>
Para 2.1	<p>Replace “(a) Members express political values and support the policies of the party or group to which they belong (of any).</p> <p>(b) Members represent their wards and are advocates for the constituents who live in the area.</p> <p>(c) Members are involved in active partnerships with other organisation as community leaders.</p> <p>(d) Members contribute to the decisions taken in full Council and in its various bodies on which they serve,</p>

	<p>as well as joint committees, outside bodies and partnership organisations.</p> <p>(e) Members help develop and review policy and strategy.</p> <p>(f) Members monitor and review policy implementation and service quality.</p> <p>(g) Members are involved in quasi-judicial work through their membership of regulatory committees.</p> <p>With “(a) To determine council policy and provide community leadership.</p> <p>(b) To monitor and review council performance in delivering services</p> <p>(c) To represent the council externally; and</p> <p>(d) To act as advocates for their constituents.”</p>
Para 3.1(a)	Remove “Managing and providing the services for which the Council has given them responsibility and being accountable for the efficiency and effectiveness of those services.”
Para 3.1	Renumber bullet points (a-d)
Para 3.1(a)	Add “professional”
	Delete “in respect of the services provided.”
Para 3.1(c)	Add “managing and providing services and being accountable for the efficiency and effectiveness of the services provided.”
Para 4.1	Delete “this plays an important part in the Council’s reputation and how it is seen in public.”
Para 4.2	Delete “avoid making personal attacks on Officers and, in particular, avoid undermining respect for Officers in Council and Committee meetings or public forums”
	Add “not raise matters relating to the conduct or capability of an Officer at meetings held in public or before the press as an Officer has no means of responding to such criticisms in public.”
	Capitalise “Member” as defined term.
	Add “individual”

	Add "if dissatisfied with the conduct of an Officer, they should refer the matter to the relevant"
	Split into bullet points.
Para 5.1	Delete "it is important in any dealings between Members and Officers that neither should seek to take unfair advantage of their position."
Para 5.2	Delete "in their dealings with Officers (especially junior Officers) Members need to be aware that it is easy for them to feel at a disadvantage."
Para 5.1	Replace "he is" with "they are"
Para 5.2	Add new paragraph. "Members must respect the impartiality of Officers and do nothing to compromise it, e.g. by insisting that an Officer change their professional advice."
Para 5.3	Replace "his/her" with "their"
	Delete "(The Council has formal procedures for consultation, grievance and discipline, and Officers have the right to report possible wrongdoing under the Council's Whistleblowing Policy)."
Para 6.1	Capitalise "Confidential Information" as defined term.
	Delete "or information which should not properly be passed between them, such as personal details."
	Add "Such familiarity could also cause embarrassment to other Members and/or Officers and could give rise to suspicions of favouritism."
Para 6.2	Delete "Such familiarity could also cause embarrassment to other Members and/or Officers and could give rise to suspicions of favouritism."
Para 6.2	Capitalise "Officers" as defined term.
Para 6.3	Capitalise "Member" and "Officer" as defined terms.
Para 7.2	Replace "s/he" with "they"
	Replace "his/her" with "their"
	Add "but" and "an"
Para 8.2	Delete "appreciable"
	Replace "5" with "five"
Para 8.6	Replace "FOI" with "Freedom of Information"

	Replace "Monitoring Officer" with "Information Governance and Data Protection Manager"
Para 8.7	Un-capitalise "Service"
Para 8.8	Un-capitalise "Service"
	Capitalise "Ward" as defined term.
Para 8.10	Delete "even if it is not what Members want to hear. They do this as much for the protection of Members as for any other reason. However, the mark of an effective"
	Add "are encouraged to accompany negative advice... with"
	Delete "is that if they do have to give negative advice, this will be accompanied by"
	Delete "Such Officers are invaluable to any Council"
Para 8.11	Delete "Reports" section
Para 9	Delete "Operation of the Overview and Scrutiny Committee" and move to Chapter/Part ***
Para 10.2	Replace "him/her" with "them"
	Replace "he/she" with "they"
Para 10.3	Capitalise "confidential information" as defined term
	Delete "because to disclose is would be against the Council's or the public interest. Information may also be confidential because of the circumstances in which it was obtained"
	Add "If it falls into one of the seven definitions of information that is exempt from disclosure to the public and press which is at paragraph 9.4 in Part 4B – Access to Information Procedure Rules"
Para 10.4	Delete "Information and correspondence about an individual's private or business affairs will normally be confidential"
Para 10.4	Capitalise "confidential information" as a defined term.
	Replace "he or she" with "they"
	Replace "but" with "and"
Para 10.6	Capitalise "confidential information" as a defined

	term.
	Capitalise "Officer" as defined term.
Para 11.1	Capitalise "officers" as defined term.
Para 12.1	Capitalise "ward" as defined term.
Para 15	Remove "Media" section as it is covered in Part 5G – Media Protocol
Para 16	Remove "Ceremonial events" section
Para 18.2	Delete paragraph as covered under Part 5B – Officers' Code of Conduct
Para 18	Add "Political Party Group Meetings"
Para 18.1	Add new paragraph "Party groups are an integral part of the way the council works and it is a proper function of Officers to support and contribute to party group consideration if required"
Para 18.3	Add new paragraph "Any attendance of an Officer at a meeting of a party group shall be with the prior agreement of the Chief Executive. Usually the only Officers involved in attending group meetings will be the Chief Executive, Deputy Chief Executive and Heads of Services"
Para 18.4	Add new paragraph "Officers will provide factual information and advice only on areas within their professional remit and in relation to issues currently or shortly to be considered by the Council, provided that the request does not relate to an individual matter such as a planning application, or does not disclose information given at a confidential briefing with the Executive. Such advice should be available to all party groups."
Para 18.5	Add new paragraph "Any such meeting will be held at the council offices"
Para 18.6	Add new paragraph "The only other persons present at such a meeting should be Members of the Council"
Para 18.7	Add new paragraph

	<p>“Officers must leave group meetings before groups enter into political discussion. It is important that the political neutrality of Officers is preserved and that group confidentiality is maintained by Officers”</p>
	<p>Delete paragraph</p> <p>“Support may include a range of activities including briefings for Members relating to their roles e.g. Chairman. Officers should be required to give information and advice to political groups on Council business only and not on matters which are purely of a party political nature. Such advice should be available to all party groups and not solely to the majority group. It is important that the political neutrality of Officers is preserved and that group confidentiality is maintained by Officers.”</p>
	<p>Delete paragraph</p> <p>“Usually the only Officers involved in attending group meetings will be the Chief Executive, Directors and Heads of Service and they will generally leave the meeting after making their presentation and answering questions.”</p>
	<p>Delete paragraph</p> <p>“Officers are employed by the Council as a whole. They serve the Council and are responsible to the Chief Executive and their respective Heads of Service, and not to individual Members of the Council whatever office they might hold.”</p>
Part 5D/E/F	Head of Paid Service, Chief Financial Officer and Monitoring Officer Protocol
The three chapters have been merged to create one part covering all three statutory officers.	
Part 5G	Media Protocol
Para 1.2	Delete “we have produced”
	Add “has been produced”
Para 2.2	Delete “(C) Link magazine”
	Replace “conferences” with “photocalls”

	Capitalise "Facebook", "Twitter", Youtube
	Add "LinkedIn"
Para 2.3	Capitalise "officers" as defined term
Para 3.1	Replace "spokesman" with "spokespeople"
	Uncapitalise "Authority"
Para 3.3	Replace "spokesman" with "spokespeople"
	Delete "many"
Para 4.0	New section on "Managing media enquiries"
Para 4.1	Add "Media enquiries will be responded to as soon as possible (within 24 hours), unless agreed otherwise"
Para 4.2	Add "Deadlines for enquiries can vary. The journalist making the enquiry will be asked for a deadline and the Communications Team will endeavour to respond within this timeframe."
Para 4.3	Add "In certain circumstances, the deadline will not be achievable such as when several questions have been asked in one single enquiry or the relevant Officer is not available. In such cases, the journalist making the enquiry will be notified and an agreement reached as to a new response deadline."
Para 4.4	Add "The media enquiry process is as follows: a) The media contact the council for a comment, clarification is sought on the topic and the deadline is checked and confirmed. b) The Communications Team contact the relevant Officer(s) to request information. c) The Communications Team draft a response/statement d) The Officer who provided the information and the relevant Head of Service asked to approve or amend the prepared statement. e) The statement sent to the Executive Member for amendments and approval. f) Statement is re-circulated with amendments if necessary g) The Communication Team sends statement to the

	media.
Para 5.1	Delete "in the first instance"
Para 5.2	Add "All queries are subject to media deadlines. By missing a deadline, a story may appear without a council comment and the council's reputation could suffer. Contact from the Communications Team with a media query should be treated as a matter of priority and dealt with as soon as possible."
Para 5.3	Add "The Communications Officer should be provided with as much information as possible. The Communications Officer will agree with the Officer what goes in the public domain."
Para 5.4	Add "There no circumstances where it would be acceptable to refuse to give a response. if the response is circumscribed for example because of data or child protection issues, then the Communications Team will explain why in an official response."
Para 7.1	Delete "not for criticism of the Council or of Council policies"
Para 7.4	Add "and priorities"
Para 8.5	Replace "Parliamentary, District, European and County" with "including non-District elections"
Para 9.1	Add "High performing councils proactively manage media relations, rather than letting the media set the agenda".
Para 9.2	Add "To maximise positive publicity across all media, the Communications Team use a Public Relations (PR) forward plan with activity agreed a quarter ahead.
Para 9.3(d)	Replace "officers of East Herts" with "Executive Members"
Para 10	Add new section on "Photography/video"
Para 10.1	Add "Photographs and videos are an excellent way to generate publicity especially through the press and on social media. However there are some important issues to consider, especially if children or young

	people are involved.”
Para 10.2	Add “Where children are involved in media events at which film cameras and/or photographers are likely to be present, the lead Officer must obtain formal permission from the parent or guardian responsible for the child/young person. With older children (16-18 years old), it is good practice to seek their permission directly as well as asking their parent or guardian. Consent forms are available from the Communications Team.”
Para 10.3	Add “If it is not possible to gain consent due to the nature of the even being photographed, signs should be displayed for all attending the event informing them that photographs will be taken.”
Para 11.1	Replace “have been issued to the media in advance” with “be published on the council’s website ahead of the meeting.”
Para 11.3	Capitalise “Members” as a defined term
Para 11.5	Capitalise “Officers” as a defined term
	Add “webcast of the meeting in the first instance, or the” Add “ly” to “direct”
Para 12.1	Capitalise “Officer” as a defined term
Part 5H	Members’ Planning Code of Good Practice
This section has been replaced with that produced by Lawyers in Local Government (LLG).	
Part 5I	Gifts and Hospitality Code of Conduct for Members
Para 1.1	Delete “is not merely an administrative issues. It”
Para 1.2	Delete “The Members’ Code of Conduct (Part 5B in this Constitution) sets out the principles relating to gifts and hospitality. These requirements are then supplemented by the code and procedures set out below, to provide a clear set of rules for the protection of both Members and the Council.”
	Add “The law on the acceptance of gifts and

	<p>hospitality is set out in the Bribery Act 2010. These legal requirements are supplemented by the procedures which have been adopted by Council, to provide clear set out rules for the protection of both Members and the Council. This policy is to be read in conjunction with the Council's Code of Conduct for Members."</p>
Para 2.2(b)	<p>Delete "provides that you should not accept any financial advantage where the result would be that the advantage which would itself constitute the improper performance of a relevant function or activity.you commit a criminal offence carrying a maximum term of imprisonment of ten years"</p> <p>Add "makes it an offence for an individual to bribe another person or to accept a bribe. The maximum penalty for a conviction for one of these offences is up to ten years imprisonment. There is an additional offence which applies to organisation of failing to prevent bribery. One a conviction for this offence, the organisation could face an unlimited fine."</p>
Para 2.3(c)	<p>Delete "that it is a breach of the Code to improperly to confer any advantage or disadvantage on any person, including yourself."</p> <p>Add "that you must not place yourself under any financial or other obligation to outside individuals or organisation that might seek to influence you in the performance of your official duties."</p>
Para 2.4(a)	<p>Replace "just as damaging to the Council and to you as a Member as actual impropriety. with "damaging to the Council and to you as a Councillor."</p> <p>Replace "either" with "consider whether to"</p> <p>Replace "ensure that such a misunderstanding cannot arise." With "take to reduce the likelihood of such a misunderstanding."</p>

Para 2.5(b)	New paragraph "Cash or monetary gifts should always be refused and the Monitoring Officer should be notified."
Para 3.1(a)(v)	Delete "such as a pint of beer from an employee of a contractor or party with whom you have done business on behalf of the Council if you meet accidentally in a public house, café or bar. In such cases, you should make reasonable efforts to return the offer where this is practicable."
Para 3.1(a)(vi)	Delete "Member should not make such arrangement themselves, but request officers to settle the detailed arrangements, and officers are under instruction, when arranging any such meeting, to make it clear to the other party that such a lunch must be modest."
Para 3.1(a)(viii)	Delete "Members should not make such arrangements themselves, but request officers to settle the detailed arrangements, and officers are under instruction to make it clear that any such hospitality for Members and officers is to be no more than commensurate with the nature of the visit."
Para 3.1(a)(ix)	Delete "eg chocolates"
Para 3.2(d)	Add "Any approval will also be placed on the Council's website"
Para 4.1	Increase the declaration total from £25 to £50
Para 4.2	Increase the declaration total from £25 to £50
Para 4.3	New paragraph "While it may be appropriate to accept a token gift or gift of low value on one occasion, it is recommended that you should refuse repeated gifts from the same source, even if these are individually not of significant value."
Para 4.4	New paragraph "If in doubt as to the value of a gift or hospitality, you should register it, as a matter of good practice and in accordance with the principles of openness and accountability in public life. You may have to estimate how much a gift or hospitality is

	worth, by considering how much you reasonably think it would cost a member of the public to buy the gift or provide the hospitality in question.”
Para 5.1	Delete “for example in relation to sponsorship of public musical and theatrical performances and developers’ contributions under Section 106 Agreements.”
Para 6.1	Capitalise “Member” as defined term