

East Herts Council Report

Leadership Team Meeting

Date of meeting: Tuesday 14 July 2026

Report by: Councillor Calvin Horner, Chair of the Member Constitution Review Group

Report title: Review of the Constitution

Ward(s) affected: (All Wards);

Summary – In accordance with Council Procedure Rules at section 2.6 of the Constitution (pertaining to changes to the Constitution), this report details amendments to the Constitution as recommended by the Member Constitution Review Group, which met on 17 June 2026.

In addition, there are some minor amendments to the Constitution to report, which have been made by the Monitoring Officer in accordance with paragraph 2.6.3(a) of the Constitution.

RECOMMENDATIONS FOR COUNCIL

- a)** To approve the changes to procedures relating to Questions by the Public and Questions by Members submitted to Council, as summarised in paragraph 2.3 of this report and set out in detail in appendix A.
- b)** To note, as required by the Constitution, the changes made to remove inconsistency and ambiguity by the Monitoring Officer, as summarised in paragraph 2.4 of this report and set out in appendix B.

1.0 Proposal

1.1 As set out above.

2.0 Background

- 2.1 The council's procedure rules require that substantive updates and changes to the Constitution are approved at a meeting of Council, after consideration by the Monitoring Officer.
- 2.2 The Member Constitution Review Group was reconvened by Council and met on 17 June 2026. The group's remit is to consider proposed Constitution amendments to bring forward to Council for consideration. The group was informed that the recent change allowing elected members to opt into the Local Government Pension Scheme needed to be reflected in the Constitution. In addition, the group discussed Section 3 – Full Council, paragraphs 3.18 – Questions by the Public and 3.19 – Questions by Members.
- 2.3 Following a comprehensive discussion, the Member Constitution Review Group decided to make the following recommendations (as set out in appendix A):
- to increase the allocated time for both Questions by the Public and Questions by Members from 15 minutes to 20 minutes each
 - to incorporate a predetermined maximum time per question and answer, this being, one minute per initial question, two minutes per answer, one minute per supplementary question and one minute per supplementary answer.
- 2.4 Under paragraph 2.6.3(a) of the Constitution, if in the reasonable opinion of the Monitoring Officer a change is 'required to be made to remove any inconsistency, ambiguity, typographical or other such error, changes to staffing structures, job descriptions or changes in terminology' then the Monitoring Officer may make such a change, with the requirement that all members are notified at the next Council meeting. In line with this:
- Section 20.8.1 has been amended to reflect that members can now join the Local Government Pension Scheme
 - Schedule 1 of Section 20 – Members' Allowances Scheme has been updated to reflect that business mileage is now paid at a rate of 55p per business mile

- Section 3.40 has been amended to reflect responsibilities that now reside with the Director for Place rather than the Director for Communities. Of note, these changes ensure the paragraphs listed are now consistent with the Director for Place's functions as already listed in section 10.10.

2.5 These changes are detailed at appendix B.

3.0 Reason

3.1 To ensure that the Constitution remains up-to-date and provides clarity regarding decision-making and procedures throughout the year.

3.2 The Constitution requires the changes referred to under paragraphs 2.4 of this report must be notified to all members at the next Council meeting. This report fulfils this requirement.

4.0 Options

4.1 To not accept the changes proposed at paragraph 2.3 of this report and appendix A. NOT RECOMMENDED as the proposals have been considered in depth by the Member Constitution Working Group which has been expressly set up to provide informed options to Council.

4.2 Amend the proposed changes at paragraph 2.3 of this report. NOT RECOMMENDED as they have been derived at by the Member Constitution Working Group after much deliberation and it is the Group's view that they provide a viable means of accommodating as many questions as possible within a reasonable, slightly expanded, amount of time.

4.3 Accept the recommendations of the Member Constitution Review Group for the reasons outlined in this report.

4.4 There is no option but to note the minor changes to the Constitution listed in paragraphs 2.4 of this report as the Constitution empowers the Monitoring Officer to make these on the

condition that they are notified to all members rather than brought to members for their approval.

5.0 Risks

5.1 Not reporting the changes detailed in 2.4 would be contrary to the requirements of the Constitution.

5.2 That decisions may not be taken in accordance with the appropriate authority, increasing the risk of challenge.

6.0 Implications/Consultations

Community Safety

None arising directly from this report.

Data Protection

None arising directly from this report.

Equalities

None arising directly from this report.

Environmental Sustainability

None arising directly from this report.

Financial

None arising directly from this report.

Health and Safety

None arising directly from this report.

Human Resources

None arising directly from this report.

Human Rights

None arising directly from this report.

Legal

The amendments to the Constitution made by the Monitoring Officer and notified to Council add to the clarity and consistency in the council's governance arrangements thus helping to minimise the risk of challenge to the council's decision-making and strengthen the council's ability to defend any challenge made.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

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