

By: Chairman of Selection Committee  
To: County Council – 17 May 2007  
Subject: PROPOSED CONSTITUTIONAL CHANGES  
Classification: Unrestricted

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Summary: The Council is recommended to agree proposed amendments to the Constitution.

## **FOR DECISION**

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### **Introduction**

1. The Selection Committee at its meeting on 16 April noted that a number of areas have been identified where the Constitution either requires clarification, or where amendment would help to expedite the carrying out of routine Council business. The proposed amendments approved by the Selection Committee are set out below for ratification by the Council.

### **Definition of “Senior Manager” in Personnel Management Rules – Appendix 2, Part 6, Paragraph 2 of the Constitution**

To be amended as follows:

- “2. In these rules “Senior Manager” means officers (other than Managing Directors) on Grade M and above, who report directly to the Chief Executive or to Managing Directors.”

### **Procedure Rules Applying to Council Meetings – Paragraph 1.34(1)**

To be amended as follows:

“The text of any written motion or amendment must be given to the Clerk by 10.00 am on the morning of the meeting. If it is not, the Chairman may rule that it falls. Any proposed motion/amendment to be treated in confidence by the Clerk”.

### **Gating Orders**

On 1 April 2006 the Highways Act 1980 (Gating Orders) (England) Regulations 2006 came into force. These Regulations brought into effect additional powers for the Highway Authority to make and revoke Gating Orders for a highway in order to prevent crime or anti-social behaviour on or adjacent to a highway. In order for the powers to be used the following amendments to the Constitution are required.

Appendix 2 Part 3 to be amended to delegate to the Managing Director for Environment and Regeneration the power to make, vary or revoke Gating Orders.

The following needs to be added to the Regulation Committee terms of reference:

(f) the making, variation or revocation of Gating Orders in circumstances where substantive objections have been received.

**Recommendation**

2. The Council is recommended to approve the amendments to the Constitution suggested above.

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