

**CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE**

A meeting of the Constitution and Members' Development Committee was held on Thursday 11 December 2025.

**PRESENT:** Councillors J Kabuye (Vice-Chair), D Coupe, I Morrish, P Storey and L Young

**OFFICERS:** C Jones and A Wilson

**APOLOGIES FOR ABSENCE:** Councillors J Banks, D Jackson, L Lewis and T Livingstone

25/16 **WELCOME AND FIRE EVACUATION PROCEDURE**

The Chair welcomed all attendees to the meeting and explained the fire evacuation procedures.

25/17 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest at this point in the meeting.

25/18 **MINUTES OF THE CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE - 20 AUGUST 2025**

The minutes of the Constitution and Members' Development Committee meeting held on 20 August 2025 were submitted and approved as a correct record.

25/19 **CONSTITUTION UPDATES - QUARTERLY REPORT**

A report of the Director of Legal and Governance Services was presented, which set out the first quarterly update to the Constitution and Members' Development Committee (CMDC) on changes to the Constitution.

The Committee had reviewed the full Constitution, and the updated version was approved by Full Council on 10th September 2025. As per Section 2.3 of the Constitution, it is the Monitoring Officer's responsibility to monitor, review and update the Constitution. As part of the monitoring, it was agreed that a quarterly report would be provided to the Committee.

The Constitution is a living document that necessitates regular review and revision to ensure ongoing compliance with applicable legislation and established procedures, as well as to promote clarity and ease of use. The report therefore set out a schedule of suggested amendments for approval and recommendation to Full Council and minor amendments that would be actioned under the delegated authority given to the Monitoring Officer.

The Committee was asked to approve the following schedule of suggested amendments to the Constitution to be taken to Full Council for consideration:

Para Number	Current Wording	Amended Wording	Reason for Change
4.8.4 (d)	The Chair may, following consultation with the Monitoring Officer and Group Leaders, amend the order of business before or during the meeting.	The Chair may, following consultation with the Monitoring Officer, amend the order of business before or during the meeting.	Refers to Full Council.  Remove words 'and group leaders'.  Not reflective of current practice and does not provide parity for those not in a group.

4.8.17 (a)	The total time permitted for questions <b>on notice</b> from Members (apart from at the Budget Meeting) is 45 minutes, which may be extended by the Chair at their discretion for a further 15 minutes.	The total time permitted for questions <b>with prior indication</b> from Members (apart from at the Budget Meeting) is 45 minutes, which may be extended by the Chair at their discretion for a further 15 minutes.	Conflicts with 4.8.15 (g) which says  'A time limit of 30 minutes will apply to questions from Members on notice'.  Change from questions 'on notice' to questions 'with prior indication' to ensure clarity.  Where there is any other reference to 'questions with prior indication' the time limit will also be amended from "no limit" to 45 mins plus 15 min.
10.8.4	The Chief Officer Committee or its sub-committee may be required to convene as a matter of urgency to discharge disciplinary and dismissal procedures, as set out in the Officer Employment Procedure Rules (see paragraph 9.11).	New paragraph to be inserted at 10.8.5 and remaining section numbering adjusted:  Where the establishment of a sub-committee is required, three members shall be appointed as follows:  The Chair will serve as a member if available; if the Chair is unavailable, the Vice Chair will be contacted. Should both be unavailable, a Chair will be appointed at the meeting.  The remaining two members shall be selected in rotational order from a predetermined list.  Sub-committees are not required to reflect political proportionality.	To provide clarity as to how the sub-committees will be convened.

A discussion took place, and the Committee confirmed its agreement to the amendments at 4.8.4 (d) and 4.8.17 (a).

In respect of the suggested amendment at 10.8.4, Members queried whether the convening of the Chief Officer Appointments Committee or its sub-committee was consistent with the arrangements for appointments to the Staff Appeals Committee and, if so, whether the same principle be applied. The Head of Legal confirmed that this would be verified.

The Committee was asked to note the following schedule of amendments to the Constitution authorised by the Monitoring Officer under delegated powers:

Para Number	Current Wording	Amended Wording	Reason for Change
9.11.5	Employees graded above spinal column point 30 shall devote their whole-time service to the work of the, after consultation with the Monitoring Officer.	Employees graded above spinal column point 30 shall devote their whole-time service to the work of the Council, after consultation with the Monitoring Officer.	Word missing
4.8.7	<p>The order of business at ordinary meetings of Full Council will be as follows:</p> <p>(vii) receive written updates from Executive Members, and deal with questions and answers arising therefrom from Members in accordance with CPR 4.8.15(h) to (j);</p>	<p>The order of business at ordinary meetings of Full Council will be as follows:</p> <p><b>(vii) receive written update from the Mayor and deal with questions and answers arising therefrom from Members in accordance with CPR 4.8.15 (h) to (j).</b></p> <p>(viii) receive written updates from Executive Members, and deal with questions and answers arising therefrom from Members in accordance with CPR 4.8.15(h) to (j);</p>	<p>To reflect the established practice of having a separate item for the Mayor on the agenda to enable questions to be asked from members on the content of the reports with prior indication.</p> <p>This is a minor change as it simply reflects current practice.</p>

The Committee noted the amendment at 9.11.5.

In respect of the suggested amendment at 4.8.7, a member queried the purpose of having separate agenda items to consider the written updates from the Mayor and Executive Members. The member proposed combining these into a single item as follows: “receive written updates from The Mayor and Executive Members, and deal with questions and answers arising therefrom from Members in accordance with CPR 4.8.15(h) to (j).” It was agreed that the Head of Legal would consider this further.

The Committee put forward a further proposal that the agenda item ‘A.O.B’ be placed at the end of the agenda. It was agreed that the Head of Legal would consider this further.

**Agreed that:**

- The amendments at 4.8.4(d) and 4.8.17 (a) be approved.
- The query relating to 10.8.4 and the alignment with arrangements for the Staff Appeals Committee be verified by the Head of Legal.
- The amendment at 9.11.5 authorised by the Monitoring Officer under delegated powers, be noted.
- The proposal regarding 4.8.7, to combine written updates from the Mayor and Executive Members into a single agenda item, be considered further by the Head of Legal.
- The additional proposal to place ‘A.O.B’ at the end of the agenda be considered further by the Head of Legal.
- The Head of Legal would provide an update to the Committee by email on all the above matters, in advance of the final report to Council in January.

11 December 2025

A member referred to a recent meeting of the Teesside Pension Fund Committee at which a quorum could not be achieved and suggested that either the quorum requirement be reviewed or the five-minute period before the meeting is abandoned (when inquorate) be amended. The Head of Legal advised that she would review the Committee's Terms of Reference and consider both points further.