

**MAIDSTONE BOROUGH COUNCIL**

**COUNCIL**

**15 JULY 2020**

**REPORT OF THE DEMOCRACY AND GENERAL PURPOSES COMMITTEE  
HELD ON 11 MARCH 2020**

**AMENDED CONSTITUTION 2020/21 – REFORMATTING, MINOR  
AMENDMENTS, AND MEMBER AND PUBLIC QUESTIONS AT COMMITTEE**

**Issue for Decision**

This report presents the changes to the Constitution for 2020/21. The Constitution has been refreshed in a new format with corrections, minor amendments for consistency, updating of factual information and other amendments set out in Appendix 1.

**Recommendation Made**

1. That the amendments to the Constitution in Appendix 1, including the additional recommendations arising from further corrections to the document, as set out in Appendix 1, be agreed; and
2. The reformatted and amended Constitution be adopted.

**Reasons for Recommendation**

The committee system and associated Constitution were adopted in April 2015. The current version of the Council's Constitution was last amended in April 2019 (and adopted in May 2019). The Constitution was essentially carried forward as a continuation of the previous version with amendments made to it arising from the committee structure review.

Inevitably over time a document such as the Constitution runs the risk of falling behind the changes to structure and practice at the council. It is also only through operation over a long period of time that conflicts and issues with adopted rules can be fully understood.

It is a requirement of the Constitution that the Monitoring Officer will periodically review the operation of the Constitution to bring it up to date and to consider practical feedback since it has been in use.

Over the last twelve months feedback has been received by Democratic Services from Members and officers on the format and presentation of the Constitution, and on public and member questions at committees. In addition to this the Democratic Services team have been monitoring the Constitution through practical experience of using and advising with it.

At its meeting on 11 March 2020 the Committee considered the amendments to the Constitution which it further amended and recommended to Council. In

addition the Committee gave delegated authority to the Democratic and Electoral Services Manager to identify further corrections. All of these changes have been summarised in Appendix 1.

### **Alternatives Considered and Why Not Recommended**

As the Council ultimately owns its own Constitution it can agree to make whatever amendments it wishes to the Constitution as long as they are legally sound. It is not recommended to make further changes to the Constitution than those outlined as they have been through the proper process of Democracy and General Purposes Committee review before recommendation.

### **Background Documents**

Maidstone Borough Council Constitution (April 2019) - <https://www.maidstone.gov.uk/home/primary-services/council-and-democracy/primary-areas/information-and-data/tier-3-primary-areas/council-performance-reports/tier-3-primary-areas/our-constitution>

Amended Constitution 2020/21 – Reformatting, Minor Amendments, and Member and Public Questions at Committee – Report to the Democracy and General Purposes Committee – 11 March 2020 ([includes the reformatted Constitution](#))