

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**Corporate Leadership Team's
REPORT TO COUNCIL**

20th May 2026

Report Title: Review of the Constitution

Submitted by: Service Director, Legal and Governance

Portfolios: All

Ward(s) affected: All

<p><u>Purpose of the Report</u></p> <p>To update the Council Constitution following a review.</p>	<p><u>Key Decision</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><u>Recommendation</u></p> <p>That full Council:</p> <ol style="list-style-type: none"> 1. Notes the updates to the constitution produced by the Monitoring Officer (see Appendices to the report) 2. Authorises the Monitoring Officer to progress amendments to the constitution at Appendices 1-3. 3. Authorises the Monitoring Officer to make any further administrative/enabling amendments to the constitution as required. 	
<p><u>Reasons:</u></p> <p>It is necessary for the Council to review and refresh its constitution so as to ensure that it accurately reflects legislative changes . There is also a need to update schemes of delegation of decision-making by officers and members and to ensure that the constitution is generally fit for purpose.</p>	

1. Background

- 1.1 The Council's constitution details how the council operates, including its structure, how it makes decisions, and the procedures that ensure these decisions are transparent, efficient, and accountable to the public. It outlines the roles of councillors and officers, and contains rules such as standing orders for meetings, codes of conduct, and financial regulations.
- 1.2 The constitution defines powers and responsibilities sets out the authority's functions and determines who is responsible for which duties, including the roles of councillors,

committees, and key officers and ensures that decision-making is efficient, transparent, and accountable, with specific procedures for meetings of the full council, cabinet, and committees.

- 1.3 By standardising procedures and making them public, the constitution provides clarity for both Council members and the public it ensures transparency and accountability.
- 1.4 This is also the means by which it maintains ethical standards via the Code of Conduct for councillors and employees to ensure high standards of ethical governance.
- 1.5 It is also an essential governance tool which regulates meetings and procedures such as **council** "standing orders," that govern council meetings, manages financial and contractual matters.

2. Issues

- 2.1 The purpose of the Council's constitution is to act as a public rulebook that explains how the council operates, makes decisions, and holds itself accountable to residents. It is a legal requirement that our constitution is a comprehensive, living document that provides a clear framework for governance.
- 2.2 There is a need to refresh the constitution periodically so as to ensure that we have a plain-language guide for how the council operates as a democratic organisation so that it can help residents, businesses, and stakeholders better understand how the council's decision-making process works.

3. Recommendation

- 3.1 Notes the proposals contained in the attached appendices produced by the Monitoring Officer in order to update the constitution.
- 3.2. Authorises the Monitoring Officer to progress amendments to the constitution at Appendices 1-3.
- 3.3 Authorises the Monitoring Officer to make any final administrative/enabling amendments to the constitution as required.

4. Reasons

- 4.1 It is necessary for the Council to review and refresh its constitution so as to ensure that it accurately reflects legislative changes as well as new policies and ways of working.
- 4.2 There is a need to update schemes of delegation of decision-making by officers and members.
- 4.3 To ensure that the constitution is generally fit for purpose.

5. Options Considered

5.1 None; a review is required to ensure we remain legally complaint.

6. Legal and Statutory Implications

6.1 None other than those stated in the body of the report.

7. Equality Impact Assessment

7.1 Not applicable.

8. Financial and Resource Implications

8.1 Not applicable.

9. Major Risks & Mitigation

9.1 Not applicable.

10. UN Sustainable Development Goals (UNSDG)

10.1 The proposal helps us to achieve a strong institution and sustainable community so contributes towards the UNSDGs goals.



11. One Council

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council

We will make investment to diversify our income and think entrepreneurially.

One Digital Council

We will develop and implement a digital approach which makes it easy for all residents and businesses to engage with the Council, with our customers at the heart of every interaction.

One Sustainable Council

We will deliver on our commitments to a net zero future and make all decisions with sustainability as a driving principle

12. Key Decision Information

12.1 Not applicable.

13. Earlier Cabinet/Committee Resolutions

13.1 Not applicable.

14. List of Appendices

Appendix 1 - F5F:- Contract Procedure Rules

Appendix 2 - F5H:- Glossary

Appendix 3 – Regulatory Services – Scheme of Delegation

15. Background Papers

5.1 None