

North Yorkshire Council
26 February 2025

Proposed Amendments to the Council's Constitution

Report of the Assistant Chief Executive Legal and Democratic Services

1.0 PURPOSE OF REPORT

- 1.1 To enable Council to consider the appended report 'Proposed Amendments to the Council's Constitution' as recommended to Council by the Executive at their meeting on 7 January 2025 and some further proposed amendments to Procurement and Contract Procedure Rule 10.6 and Council Procedure Rule 11.1(i) as set out in paragraphs 2.3.1 and 2.4 respectively of this covering report.

2.0 BACKGROUND

- 2.1 On 7 January 2025, the Executive considered the appended report 'Proposed Changes to the Constitution' and recommended it to Council at their meeting on 26 February 2025.
- 2.2 The Constitution is maintained by the Assistant Chief Executive Legal and Democratic Services and kept under review on an ongoing basis. Proposed changes to the Constitution are considered by the Members' Working Group on the Constitution and the Executive and ultimately approved by full Council.
- 2.3 The proposed amendments to the Constitution include changes: to the Procurement and Contract Procedure Rules; to the Code of Practice for Councillors and Officers dealing with Planning Matters; to the Council Procedure Rules; General Licensing and Registration Committee Terms of Reference; to the Health and Wellbeing Board's Terms of Reference; and to the Members' Allowances Scheme.
- 2.3.1 Since consideration of the proposed changes by the Executive, a further required amendment to Procurement and Contract Procedure Rule 10.6 has been identified, namely to include the missing words "to be terminated" after "Rule 9.1" as indicated below:

CONTRACT TERMINATION

10.6 If an Officer requires a Contract which exceeds the financial values stated in Rule 9.1 to be terminated then this must be done in accordance with the terms of the Contract and in accordance with the PCR2015 or PA2023, where applicable. Approval must be sought in accordance with Rule 9.1.

- 2.4 Following the Executive meeting, the Assistant Chief Executive Legal and Democratic Services agreed to draft some further proposed amendments to Council Procedure Rule 11.1(i), in place of those included in Appendix 10 to the report to the Executive, as follows:

11. MOTIONS ON NOTICE

11.1 Council Meetings

...

- (i) When the Executive or a committee reports back on a motion with its recommendations, the Executive's or committee's recommendations become the motion before the relevant decision-making body for voting upon.

The members of the Constitution Working Group, the Chair of Council and the Executive were consulted on the above proposed amendment.

Deleted: , as originally moved and seconded at the earlier meeting, will be the matter before the relevant decision-making body. Any recommendation of the Executive or committee to amend the motion will therefore be an amendment to the motion and any recommendation to support or oppose the motion will be only an expression of views

2.5 The minutes of the meeting of the Executive on 7 January 2025 are available here - [Agenda for Executive on Tuesday, 7 January 2025, 11.00 am | North Yorkshire Council](#)

3.0 FINANCIAL IMPLICATIONS

3.1 These are covered in the appended report that went to the Executive on 7 January 2025.

4.0 LEGAL IMPLICATIONS

4.1 These are covered in the appended report that went to the Executive on 7 January 2025.

5.0 CLIMATE CHANGE IMPLICATIONS

5.1 These are covered in the appended report that went to the Executive on 7 January 2025.

6.0 EQUALITIES IMPLICATIONS

6.1 These are covered in the appended report that went to the Executive on 7 January 2025.

7.0 RECOMMENDATIONS

7.1 That Council consider the appended report 'Proposed Changes to the Constitution' as recommended to Council by the Executive at their meeting on 7 January 2025, along with the further proposed amendments to Procurement and Contract Procedure Rule 10.6 and Council Procedure Rule 11.1(i) as set out in paragraphs 2.3.1 and 2.4 respectively of this covering report.

BARRY KHAN
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NORTHALLERTON
18 February 2025

Background Documents: North Yorkshire Council Constitution; The Local Government 2000 as amended.