

# Cheltenham Borough Council

**Council – 18 March 2024**

## Revisions to the Constitution

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**Accountable member:**

Cllr Rowena Hay, Leader of the Council

**Accountable officer:**

Claire Hughes, Corporate Director and Monitoring Officer

**Ward(s) affected:**

n/a

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**Key/Significant Decision:**

No

**Executive summary:**

This report sets out proposed revisions to the Constitution.

**Recommendations: That Council:**

- 1. approves the revised Part 5G - Guidance for Councillors Appointed to Represent the Council on Outside Bodies at Appendix 1;**
  - 2. approves the Councillor Role Profiles at Appendix 3 for inclusion in the Constitution;**
  - 3. gives delegated authority to the Monitoring Officer to make the necessary changes to the Constitution to reflect these decisions.**
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**1. Implications**

**1.1 Financial, Property and Asset implications**

There are no direct financial, property or asset implications arising from the recommendations.

**Signed off by:** Gemma Bell, Director of Finance and Assets,  
[gemma.bell@cheltenham.gov.uk](mailto:gemma.bell@cheltenham.gov.uk)

## **1.2 Legal implications**

There are no specific legal implications arising from the recommendation of the report. Any decision to amend the Constitution rests with Full Council. The Constitution should be kept under review and amended where necessary to provide a clear governance framework that will support effective, efficient and lawful decision-making in a manner that also supports accountability, scrutiny, and transparency.

**Signed off by:** One Legal - [legalservices@onelegal.org.uk](mailto:legalservices@onelegal.org.uk) Tel (01684) 272012

## **1.3 Environmental and climate change implications**

There are no direct environmental or climate change implications arising from this report.

**Signed off by:** Claire Hughes, Corporate Director and Monitoring Officer

## **1.4 Corporate Plan Priorities**

This report contributes to the following Corporate Plan Priorities:

- Being a more modern, efficient and financially sustainable council

## **1.5 Equality, Diversity and Inclusion Implications**

An equality impact assessment is not required for this report.

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## **2. Introduction**

2.1 The Constitution is a living document which requires regular review and maintenance. The review of outside bodies has been an ongoing piece of work, which concluded with the approval of the revised Part 5G – Guidance for Councillors Appointed to Represent the Council on Outside Bodies at their meeting on 19 February 2024.

2.2 Since their meeting on 19 February, work has been ongoing on developing a set of Councillor Role Profiles. This work has now concluded and, after being shared with Group Leaders and Committee Chairs, is presented to Council for ratification and inclusion in the Constitution.

### **3. Part 5G – Guidance for Councillors Appointed to Represent the Council on Outside Bodies**

- 3.1 In April 2023, following consideration of a referral to Scrutiny made by Councillor Flynn, the Constitution Working Group (CWG) requested that further work be undertaken in relation to outside bodies. Specifically, which of the bodies were required by their own constitution to have a representative of the Borough Council, the value of having a representative and whether there were any particular skills that the body would look for.
- 3.2 All of the outside bodies were contacted, and their responses were captured and shared with the CWG in November 2023. Upon reviewing the responses, the CWG requested that the document be amended to clearly identify which bodies, by virtue of their constitution/articles, require a Council appointment (see Appendix 2). The group also requested that Part 5G of the Constitution – Guidance for Councillors Appointed to Represent the Council on Outside Bodies be updated.
- 3.3 The review has now concluded and the final list of outside bodies, together with an amended Part 5G, was presented to CWG on 19 February 2024, where it was approved for ratification by Full Council.
- 3.4 Members can see the suggested amendments to Part 5G as tracked changes in Appendix 1 to this report. The proposed changes can be summarised as:
- Paragraph 2 – clarifying the various types of appointments;
  - Paragraph 4 – clarifying position in relation to appointment as a director;
  - Paragraph 5.4.2 – inserting a link to further information for Trustees;
  - Paragraph 8 – removal of outdated references;
  - Paragraph 9.3 – updated to reflect the requirements around registration of interests as set out in the Localism Act and the Code of Conduct.

### **4. Role Profiles**

- 4.1 It is important for councils to be clear and transparent so that officers, councillors and residents understand the functions of the various roles held by councillors. With this in mind, the CWG requested that officers undertake a piece of work to develop a suite of role profiles for councillors, including the roles of Leader, Deputy Leader, Cabinet Member, Group Leader, Mayor and the various chairs of Committees.
- 4.2 Having role profiles is something that is actively encouraged by the Local Government Association and will also be a useful tool in the induction process, as well as for members who may be considering taking up any of the roles.

4.2 The aim of the profiles is to:

- ensure that councillors understand their role, responsibilities and expectations in order to work effectively in serving the community;
- provide councillors with a wider understanding of all other positions in the council;
- ensure public understanding of the different councillor roles; and
- inform and support councillor development.

4.3. The suite of profiles attached at Appendix 3 has been shared with the CWG, Group Leaders and Committee Chairs for comment and are now submitted to Council for approval. If approved, the profiles will be included as a new appendix to the Constitution and cross-referenced in the Articles.

## **5. Reasons for recommendations**

5.1 To ensure that the council's Constitution remains up to date.

## **6. Alternative options considered**

6.1 None - but Council could decide not to approve the revisions

## **7. Consultation and feedback**

7.1 Constitution Working Group and Group Leaders in respect of the Budget Protocol

## **8. Key risks**

8.1 None

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### **Report author:**

Claire Hughes, Corporate Director and Monitoring Officer,  
[claire.hughes@cheltenham.gov.uk](mailto:claire.hughes@cheltenham.gov.uk)

### **Appendices**

1. Part 1 5G - Guidance for Councillors Appointed to Represent the Council on Outside Bodies (tracked changes)
2. List of outside bodies
3. Councillor Role Profiles

### **Background information:**

[Cheltenham Borough Council Constitution](#)