

**COUNCIL MEETING – 10TH JULY 2025**

**AGENDA ITEM NO. 5 (5)**

**CONSTITUTION AND COMMITTEE REVIEW UPDATE**

A report from the meeting of the Corporate Governance, Audit and Standards Committee held on 2nd July 2025.

**SUMMARY:**

This Report sets out recommendations for changes to be made to the Council's Constitution, including a proposed update to Standing Orders to enable public questions at full Council Meetings.

The Report also recommends changes to the Council's decision-making arrangements for committees arising from the Committee Review findings following an in-depth review led by the Centre for Governance & Scrutiny on behalf of the Council during Winter 2024/25. The headline proposals are:

- to split the current Corporate Governance Audit and Standards Committee (CGAS) into two committees – creating an 'Audit and Governance Committee', and a 'Licensing and Corporate Business Committee', each with separate training plans to support members.
- a proposal for a single cross party 'work programme management group' to co-ordinate the work programmes of the non-executive committees e.g. the Policy & Project Advisory Board (PPAB), Overview and Scrutiny Committee (OSC), and the committee with responsibility for audit and governance. This will replace separate Progress Groups.

The recommendations in this report have been considered and endorsed for Council approval by the Constitution Working Group and the Corporate Governance, Audit and Standards Committee.

**RECOMMENDATIONS:**

The Council is recommended to approve a revised and updated Constitution with the revisions as described in the schedule of proposed updates set out in Appendix 1.

The revisions to include:

- 1) Updates to the Standing Orders for the Regulation of Business (attached as Appendix 2) and Scheme for Public Questions (attached as Appendix 3);

- 2) Updates to the terms of reference for committees as set out in the following documents: 'Role and Responsibilities of Council Decision-Making Committees'; 'Overview and Scrutiny Committee - Terms of Reference' and 'Policy & Project Advisory Board – Terms of Reference' as set out in Appendix 4, to come into effect from October 2025;
- 3) An update to the Code of Conduct for Councillors as set out in Appendix 5; and
- 4) to note all previously agreed amendments and updates to the Constitution since the last Constitution Update report to Council in February 2023 as attached as Appendix 6.

Note: In accordance with Council Procedure Rule 29 (1), the proposed amendments to the Standing Orders for the Regulation of Business including the Scheme for Public Questions (Appendix 2 and 3) will stand adjourned without discussion to the following Council Meeting. (The Scheme for Public Questions is an Appendix to Standing Orders).

The decision-making structure of the Council as described in the proposed amendments to Standing Orders shall therefore be implemented from October 2025 onwards subject to Council approval.

## **1. INTRODUCTION**

- 1.1 The Council's Constitution is intended to facilitate council business. It sets out how the Council operates, how decisions are made, and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The Council has a responsibility to monitor its Constitution, and to ensure that it is kept up to date.
- 1.2 A copy of the Constitution is available to view on the Council's website [here](#).
- 1.3 The Constitution Working Group has recently considered the following matters and recommended updates for changes to be made to the Council's Constitution:
  - A pilot scheme to enable public questions at Council Meetings - which is in addition to the existing public speaking scheme for cabinet and committees.

- Setting out the core training expected of all elected Members in the Councillors Code of Conduct; the training to help ensure that councillors are equipped to act appropriately in their councillor roles.

1.4 The Constitution Working Group also considered in detail the Committee Review findings arising from a review led by the Centre for Governance & Scrutiny on behalf of the Council during Winter 2024/25 and proposed the actions to take forward which were also considered by the Corporate Governance, Audit and Standards (CGAS) Committee. The headline proposals for the structural changes to decision-making arrangements arising from the Committee Review are as follows:

- A proposal for a single cross party 'work programme management group' to co-ordinate the work programmes of the non-executive committees to replace the separate Progress Groups.
- The terms of reference for the Policy and Project Advisory Board (PPAB) to make clear that the PPAB work programme shall engage with the Cabinet work programme and policy development to help deliver agreed Council plan priorities.
- The terms of reference of the Overview and Scrutiny Committee to make clear that key responsibilities are for performance management, review of existing policy and review of decisions. The 'policy development' role of scrutiny is undertaken by PPAB, and responsibility for scrutinising the Council's framework of internal controls and assurance for managing risk and overall activity rests with the committee with responsibility for audit and corporate governance.
- A proposal to split the current Corporate Governance Audit and Standards Committee (CGAS) into two committees – creating an 'Audit and Governance Committee', and 'Licensing & Corporate Business Committee', with training plans to support Members on each.

1.5 A schedule setting out a summary of all of the updates arising from these proposals, together with other minor updates is set out in **Appendix 1**. The key changes to documents are highlighted in the body of this report.

## 2. PUBLIC QUESTIONS AT FULL COUNCIL

2.1 Following consideration by the Working Group and the CGAS Committee, the Standing Orders for the Regulation of Business are proposed to be updated as set out in new SO 9 in **Appendix 2**. The procedure note for public questions,

which is proposed as a new Appendix to the Standing Orders is attached as **Appendix 3** to this report.

2.2 The proposed new Standing Order is as follows:

**“Questions on Notice by the Public**

9. (1) A Member of the public may ask a question in writing of the Leader of the Council, a Member of the Cabinet, or the Chair of any Committee on any matter in relation to which the Council has powers or duties, or which affects the Borough.
- (2) A member of the public is limited to submitting one such question at any meeting of the Council. No more than one question can be asked on behalf of any organisation or body at any Council Meeting. No question shall exceed 100 words in length.
- (3) The question must be sent, in writing, to the Corporate Manager – Democracy, to be received no later than 5.00 p.m. on the fourth working day prior to the day of the meeting. (For the avoidance of doubt, if a meeting were to be held on a Thursday evening, the deadline would be 5.00 p.m. on the Friday of the preceding week). No questions from the public will be allowed where the requisite notice has not been given or at the Annual Council Meeting.
- (4) Questions submitted shall be dealt with in accordance with the procedure note contained in Appendix 4 to these procedures.”

2.3 The procedure note to accompany the new Standing Order (attached at Appendix 3) clarifies that all Members shall be notified of public questions submitted in advance of the Council Meeting and that a record of public questions shall be maintained and available on the website. A time limit of 15 minutes will be provided for this part of the agenda.

2.4 [Public Speaking Procedure Rules](#) are already in place to enable public engagement at other public open committee and cabinet meetings and is published as part of the Constitution on the Council’s website.

**3. UPDATES TO TERMS OF REFERENCE OF NON-EXECUTIVE COMMITTEES**

**Committee Review Findings and Follow up**

3.1 During Winter 2024/25, the Centre for Governance and Scrutiny (CfGS) was invited by Rushmoor Borough Council to undertake a review of three of its formal committees: Policy and Projects Advisory Board, Overview and Scrutiny Committee and Corporate Governance, Audit and Standards Committee, and a Members Workshop took place on 10th March 2025 to present the findings

which was facilitated by Ed Hammond, Deputy Chief Executive, CfGS. A copy of the report has been circulated to Members under separate cover and is available from the Democracy Team and on the Members Sharepoint site.

- 3.2 At the workshop, it was noted that a new consideration since the initial commissioning of the review was Local Government Reorganisation (LGR). LGR adds an additional consideration to the way forward. It will be important to ensure that the Council's governance arrangements are in good shape to manage during the transition to new local government structures, to manage the transition for safe and compliant local services, and to manage endings.
- 3.3 Within the Review, the five key responsibilities for non-executive Members across PPAB, OSC and CGAS were given as (1) policy development, (2) keeping Members sighted and informed, (3) understanding and acting on risk, (4) reviewing performance, and (5) financial management and oversight. Actions arising from the Review are intended to help improve and enable non-executive Members to perform these functions.
- 3.4 On 1st April, the Constitution Working Group considered the recommendations arising from the Review and which would require a change to the decision-making structure and the Constitution. The discussion paper considered by the Working Group was published with the report to [CGAS on 22nd May](#) Report No. DEM2505. This included an amalgam of the Review recommendations, and the preferences indicated by councillors at the Members Workshop in response to the review findings. One of the key recommendations was that the CGAS Committee responsibilities were too broad.
- 3.5 During discussion, Members considered the merits of splitting the functions and responsibilities of the CGAS Committee into two committees, as external feedback had indicated the need to consider this. It was proposed that the benefits include improved capacity for focus on the different committee specialisms and linked training, improved capacity to ensure members who are available for hearings can join the Licensing Committee, to address the busy CGAS agendas and ensure capacity for any additional non-executive decision making in relation to community governance reviews and re-organisation. It was noted that the expected number of scheduled meetings for a new Licensing and Corporate Business Committee would be three meetings per annum, with additional meetings planned in as required. Licensing Hearings would continue to be held with the same regularity as present.

### **Revisions to Terms of Reference**

- 3.6 Further to discussions on the Committee Review recommendations, it is proposed to separate the functions of the CGAS Committee, with new terms of reference created for a new 'Audit & Governance Committee' and a new 'Licensing & Corporate Governance Committee', and some revisions are

proposed to the Overview and Scrutiny Committee (OSC) and Policy & Project Advisory Board (PPAB). The revised terms of reference for the four committees are set out in **Appendix 4** (attached), where there is both a copy of the changes shown by track changes and a clean copy for ease of reading.

3.7 The revisions to the OSC and PPAB terms of reference can be summarised as follows:

- (1) Inserting reference to a new Programme Management Group. This is the body proposed to enable co-ordination of work programmes for OSC, PPAB and the committee with responsibility for audit & governance – to reduce duplication and help make best use of resources.
- (2) Updates to the sections on the arrangements for work programmes as a result of the new Programme Management Group.
- (3) Deleting reference to Progress Groups
- (4) Re-ordering of the functions and responsibilities within the OSC terms of reference for clarity and to reduce duplication. Key responsibilities are for performance management, review of existing policy, and review of decisions.
- (5) Inserting additional explanation in the OSC terms of reference that some roles of overview and scrutiny are shared with other committees – the ‘policy development’ role is undertaken by PPAB, and responsibility for scrutinising the Council’s framework of internal controls and assurance for managing risk and overall activity rests with the Audit and Governance Committee.
- (6) Emphasis in the PPAB terms of reference that the Board’s work programme shall engage with the Cabinet Work Programme and Council Plan priorities. PPAB provides support to the Cabinet with policy development on matters that will help deliver agreed Council Plan priorities.

3.8 Updates to the non-executive committees also impact other parts of the Constitution, which are set out in Appendix 1. In particular, the changes require updates to the Standing Orders for the Regulation of Business, and a copy of the draft updated Standing Orders showing track changes is attached at Appendix 2.

#### 4. **CODE OF CONDUCT FOR COUNCILLORS**

- 4.1 Following discussion with the Constitution Working Group, the following wording is proposed to be inserted in Code of Conduct for Councillors (attached as Appendix 5). This is with a view to clarifying and strengthening understanding of the core training that councillors are expected to attend to support their roles both at the Council and in the community as ward and community leaders.

##### **“TRAINING PROVIDED BY THE COUNCIL**

Training shall be provided by the Council to help ensure that you are equipped to act appropriately in your councillor role.

All councillors are strongly encouraged to undertake the following core training which shall be provided for all new councillors as part of the new member induction programme, and with an expectation that councillors will attend refresher training to keep up to date. Training shall be offered so that there is flexibility in access; typically, the training will be offered as either attendance at a training session either in person/online, a recording to watch back or via on-line modules.

Core Training for all Councillors:

- **Code of Conduct for Councillors**
- **Information Governance** (to ensure councillors are aware of their data controller responsibilities under GDPR as a ward councillor)
- **Cyber Security and Information Security** (for Rushmoor Outlook account users/using Rushmoor IT kit)
- **Safeguarding Training** (to ensure councillors are aware of duty to report safeguarding concerns, and how to respond as a ward councillor).

In addition, councillors who are involved in quasi-judicial decision making as members of the **Development Management Committee** or on **Licensing Hearings** need to undertake training to meet the legal requirements for participation.”

#### 5. **SCHEDULE OF UPDATES SINCE LAST REPORT TO COUNCIL**

- 5.1 For transparency, a schedule of administrative and other agreed updates to the Constitution made since the last update report to the Council is attached at Appendix 6 for noting.
- 5.2 A copy of all of the Constitution documents (with track changes for updates) will be available to view in Members Sharepoint Site in advance of the Council Meeting, and a link to this will be sent to Members by the Corporate Manager – Democracy.

## **6. NEXT STEPS**

- 6.1 Subject to Council approval, the timescale for the implementation of the changes to the committee structure is for the new arrangements to take effect from October 2025 onwards following the Council Meeting in the autumn, and final approval of changes to Standing Orders.
- 6.2 Further work and planning to implement new arrangements shall be carried out between July and September including details for the proposed new Programme Management Group, follow up around councillor appointments and dates of future meetings, and preliminary work to prepare for an Independent Remuneration Panel to meet in late 2025.

## **7. CONCLUSIONS**

- 7.1 Changes are proposed to the content of the Constitution to ensure that the provisions remain up-to-date, and the Council continues to work effectively to meet the needs of the current Council Membership. The changes are to increase the opportunity for community engagement at council meetings with public questions, plans to improve co-ordination and transparency of committee work programmes and to support improved focus/capacity of meetings.
- 7.2 An overall summary of the proposed changes is attached at Appendix 1, with the documents with significant changes attached as Appendices 2, 3, 4 and 5. A record of updates made since the last update report is attached as Appendix 6.

CLLR BILL O'DONOVAN  
CHAIR OF THE CORPORATE GOVERNANCE, AUDIT  
AND STANDARDS COMMITTEE

A copy of the Council's Constitution is available to view on the Council's website:

[The constitution - Rushmoor Borough Council](#)