

**Report to COUNCIL**

## **Constitution Update**

**Officer Contact:** Paul Entwistle – Director of Legal

**Report Author:** Director of Legal , Interim Head of Democratic Services

**10<sup>th</sup> July 2024**

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### **Recommendations**

To consider the recommendations to update the Constitution as detailed in the report.

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## Constitution Update

### 1 Background

- 1.1 The Constitution needs to be regularly reviewed to ensure that it reflects any procedural or organisational changes and this report details areas where amendments to the Constitution are required.

### 2 Council Procedure Rules

- 2.1 At each Council meeting the Council considers actions from Council meetings but it is not prescriptive as to the period for such updates. It is proposed that each report covers actions from Council Motions and responses in the preceding 12 month period and any update or response received from Motions beyond the 12 month period. If no response is received within 6 months the Head of Democratic Services will write a reminder asking for a response and will report to Council if no reply is received.  
A copy of the revised recommended Council Procedure Rules is attached at **Appendix 1**.

### 3 Budget and Policy Framework Procedure Rules

- 3.1 It is proposed to consolidate and clarify the Budget and Policy Framework Procedure Rules within Part 4C. A copy of the proposed revised Part 4C is included at **Appendix 2** and this would replace the existing Part 4C and appendix

### 4 Terms of Reference of a committee

- 5.1 The terms of reference of the Planning Committee have been clarified and are attached at Appendix 3.

### 5 Section 36 delegation

- 5.1 Council previously delegated as part of the Prevent Programme on the governments counter terrorism strategy, to the Channel Co-Ordinator Supervisor at Manchester City Council responsibilities for decisions on whether to refer individuals at risk of being drawn into terrorism to Oldham's Channel Panel as defined by the Counter Terrorism and Security Act 2015 as amended. Section 36 of the Act placed a duty on local authorities to ensure a Channel Panel was established in its area and gave power as amended to refer an individual at risk of being drawn into terrorism to the Channel Panel. In 2016, the Home Office piloted the Dovetail Scheme which saw local authorities take on responsibility for case managing individuals referred to Channel.  
Since 2019, Manchester City Council on behalf of itself and the other nine authorities within Greater Manchester participated in further joint working to trial a new method of delivery for the Channel programme. The Home Office have reviewed the Dovetail pilot and the pilot has ceased meaning that there is no longer a requirement to delegate Section 36 decisions to Manchester City Council as these will be undertaken by the police.

### 6 Preferred Option

- 6.1 The Council is required to regularly review the constitution.

### 7 Consultation

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Relevant officers have been consulted and Leader and Leader of the main opposition group consulted on proposed changes to the Council Procedure Rules.

8 **Financial Implications**

8.1 None

9 **Legal Implications**

9.1 Contained within the report.

10 **Equality Impact -including implications for Children and Young People**

10.1 No

11 **Key Decision**

11.1 No

12 **Key Decision Reference**

12.1 N/a

13 **Background Papers**

None

13 **Appendices**

13.1 Appendix 1 - **Council Procedure Rules**  
Appendix 2 – **Budget and Policy Framework Rules**  
Appendix 3 – **Terms of reference of committee**