

OFFICER DECISION NOTICE



Reading
Borough Council
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This notice is to be used for the following types of officer decisions. (Select one option).

A. Decisions taken by officers under a specific express delegation from Council or a Committee.

B. Decisions taken by officers under a general delegation from Council or a Committee, which relates to (i) a permission or a licence, or (ii) the rights of an individual, or (iii) a contract or expenditure over which materially affects that relevant local government body's financial position.

1. Title of decision:	Constitution Amendment
2. Date of the decision:	02 May 2023
3. The decision maker:	Michael Graham, Assistant Director of Legal and Democratic Services and Monitoring Officer in consultation with Cllr Jason Brock, Leader of the Council

4. Decision details:

(1) To amend a typographical error in the Council's Constitution (Code of Conduct).

5. Reasons for the decision:

In preparing the amended Constitution for Council on 18 October 2022, it was anticipated that the scale of the amendments and the sheer size of the document might lead to some slips or errors creeping in, despite proof reading and review. The Council therefore granted a power for such slips and errors to be rectified by the Monitoring Officer in consultation with the Leader, without needing a formal report back to Council. It has now been established that some formatting and editing errors did occur which altered the meaning of the Constitution. Those have been rectified by an earlier Officer Decision Notice in February 2023. This Officer Decision is to rectify a further error which has come to light.

The issue is as follows:

- (i) The Code of Conduct (Other Registerable Interests) states as follows in the version sent to the Council's website:

Table 2: Other Registerable Interests

You must register as an Other Registerable Interest:

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body|
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

(ii) A missing carriage return at item c (iii) changes the meaning of the paragraph. It should read as follows:

- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management.|

(iii) The decision is to amend the wording accordingly.

6. Alternative options considered (if any) and rejected:

No further options have been considered.

7. List of open Background Papers:

There are no unpublished background papers which are material to the preparation of this Decision Notice. The original papers for the Constitution Review are published on the [Council's website](#).

8. List of confidential or exempt Background Papers:

There are none.

9. Any other matters taken into consideration:

<input type="checkbox"/> Legitimate expectation of consultation	<input type="checkbox"/> Procedural requirements
<input type="checkbox"/> Public Health implications	<input type="checkbox"/> Environmental or Climate Change
<input type="checkbox"/> Health and Safety	<input type="checkbox"/> Risk Management implications
<input type="checkbox"/> Transparency of Information (FOI etc)	<input type="checkbox"/> Privacy Impact Assessments
<input type="checkbox"/> Human Rights Act Duties	<input type="checkbox"/> Equality Impact Assessment

<input type="checkbox"/> Corporate Parenting	<input type="checkbox"/> Community Safety
<input type="checkbox"/> Regulatory duties	<input type="checkbox"/> EU withdrawal
<input type="checkbox"/> Armed Forces Covenant	<input type="checkbox"/> Other
Details of the matters taken into account: There are none.	

10. Legal considerations

The Constitution of the Council is a document which is within the Terms of Reference for the Council. Changes to the Constitution have to be made by Council and are usually made on the recommendation of the Policy Committee. In this instance, the main changes to the Constitution were approved by Council after a Policy Committee recommendation on 18 October 2022. A specific delegation to an officer (Monitoring Officer) was made to cover the rectification of minor errors and slips. This is detailed below. It is therefore within the powers of the Monitoring Officer to make this decision after consultation with the Leader of the Council. The Leader of the Council was consulted on 2 May 2023 and agreed to the change.

11. Financial considerations

There are no financial considerations arising from this decision.

12. Internal consultations

A draft of this Officer Decision Notice was provided to the Chief Finance Officer and the Head of Paid Service for comments. No comments were received.

Sections 13- 18: To be completed only for Decision A (express delegation from a Committee)

13. The name of the Committee:	Council
14. Date of the meeting:	18 October 2022
15. Minute number:	21
16. The delegation given by the Committee:	That the Monitoring Officer, in consultation with the Leader, be authorised to correct any minor typographical errors or inconsistent numbering or cross references which become evident in publishing the Constitution in its final form.
17. The name of any member of the committee who declared a conflict of interest in relation to the decision:	None

18. Any councillor or officer required to be consulted prior to the exercise of this delegation and details of their response.

Cllr Jason Brock consulted by email on 2 May 2023. Cllr Brock indicated his agreement.