



Governance and Audit Committee

Item
8(vi)

16 December 2025

Report of	Head of Governance and Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Amendment to the Constitution		
Wards affected	Not applicable		

1. Executive Summary

1.1 This report details a change to the Constitution following recommendations from the Scrutiny Panel and Full Council.

2. Recommended Decisions

2.1 To endorse the proposed change by the Leader of the Council to the Leaders Scheme of Delegation to Cabinet Members as detailed at paragraph 3.5 below.

3. Background

3.1 At the Scrutiny Panel meeting on 10 September 2025 the Chairman raised the matter regarding the Council's expression of interest in the potential development of a new town to the West of Colchester, which had not gone via the Local Plan process. This expression of interest had been made by the Council so as to learn more about the implications but had been withdrawn when it was ascertained that the housing would not count towards the local housing numbers target. The Panel accepted the Leader of the Council's assurance that changes will be made to the process in the future.

3.2 The Panel recommended to Cabinet "that elected members be informed and consulted regarding any future potential large-scale projects affecting their wards at as early a stage as possible". Cabinet subsequently agreed this recommendation at its meeting on 22 October 2025.

3.4 At the Full Council meeting on 15 October 2025 a motion was debated on the same subject seeking to establish a process to deal with similar issues in the future. The motion was amended in the course of the meeting, but the final agreed wording of the motion specified that Governance and Audit Committee should be consulted upon the changes to governance processes to prevent this happening again.

3.5 The Leader of the Council following consultation with the Monitoring Officer agreed that the Leaders Scheme of Delegation to Cabinet Members in the Constitution should be amended with the following additional provision being added to the delegation to all Cabinet Members:

"To respond to any proposals, invitations or requests in relation to any future potential large-scale projects within their portfolio, provided that the relevant ward councillors and appropriate Committee Chair have been informed and consulted prior to any formal decision being made."

3.6 This provision reflects the recommendation from the Scrutiny Panel and will ensure that in future any proposals will be the subject of prior consultation with ward councillors and the relevant Committee chair prior to any formal portfolio holder decision being made. This will enable any such decision to be subject to call-in and will, in the same manner as any other

formal decision be subject to the urgency provisions. It considered that whilst adding a further layer of governance, it is proportionate and will provide the reassurance sought by the Scrutiny Panel and agreed by Cabinet and the motion of Full Council.

4. Strategic Plan References

- 4.1 The manner in which the Council governs its business is an underpinning mechanism in the Council's Strategic Plan priorities to set out the direction and future potential for our City.

5. Publicity Considerations

- 5.1 The Constitution is published on the Council's website

6. Financial, Equality, Diversity and Human Rights, Consultation, Health, Wellbeing and Community Safety, Health and Safety, Risk Management, Environmental and Sustainability and Devolution and Local Government Reorganisation Implications

- 5.1 None.