

Meeting: Council

Date: 20 September 2023

Wards affected: All Wards

Report Title: Constitution Amendment Local Protocol – Civic and Ceremonial

When does the decision need to be implemented? As soon as possible

Cabinet Member Contact Details: Councillor Tyerman, Cabinet Member for Housing, Finance and Corporate Services, alan.tyerman@torbay.gov.uk

Lead Officer Contact Details: Amanda Barlow, Monitoring Officer, amanda.barlow@torbay.gov.uk

1. Purpose of Report

- 1.1 This report sets out proposed updates and revisions to the Local Protocol for Civic and Ceremonial in order to reflect current practice. The Protocol has been reviewed in preparation for the local elections and to support the induction and election of a new Civic Mayor and Deputy Civic Mayor in May 2023.

2. Reason for Proposal and its benefits

- 2.1 The proposals in this report, ensures the Local Protocol for Civic and Ceremonial is up to date and fit for purpose.

3. Recommendation(s) / Proposed Decision

1. That the Council approves the revised Local Protocol – Civic and Ceremonial as set out at Appendix 1 to this report.

Appendices

Appendix 1: Revised Local Protocol – Civic Ceremonial

Background Documents

Revised Article 13 – Review and Revision of the Constitution -

<https://www.torbay.gov.uk/DemocraticServices/documents/s140230/14%20Article%2013%20-%20Review%20and%20Revision%20Appendix%202.pdf>

Supporting Information

1. Introduction

- 1.1 At the meeting of Council held on 20 July 2023 (minute 27/7/23 refers) the Council approved amendments to Article 13 requiring the Monitoring Officer to keep the Constitution under review and authorising her to make changes which were required for technical or legal reasons. The Monitoring Officer was also authorised to make other changes to the Constitution that she believes were in the best interests of the Council and/or local people provided they were made in consultation with the Leader of the Council and Group Leaders; if any of them object, the Monitoring Officer will report the matter to Council for decision.
- 1.2 Whilst the Local Protocol – Civic and Ceremonial has been amended to reflect current practice, the proposed amendments were beyond technical or legal reasons, and Liberal Democrat Group Leader determined that the matter should come before the Council to approve, as the sovereign body.

2. Options under consideration

- 2.1 To leave the current Protocol in place, however, it is out of date and does not reflect current practice of the civic and ceremonial function.

3. Financial Opportunities and Implications

- 3.1 None

4. Legal Implications

4.1 None

5. Engagement and Consultation

5.1 The revised Local Protocol has been circulated to Councillors and was submitted to the Council Leadership Group and suggestions put forward, have been incorporated into the final version, in accordance with Article 13 of the Constitution.

6. Purchasing or Hiring of Goods and/or Services

6.1 Not applicable

7. Tackling Climate Change

7.1 Not applicable.

8. Associated Risks

8.1 None

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people			There is no differential impact.
People with caring Responsibilities			There is no differential impact.

People with a disability			There is no differential impact.
Women or men			There is no differential impact.
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			There is no differential impact.
Religion or belief (including lack of belief)			There is no differential impact.
People who are lesbian, gay or bisexual			There is no differential impact.
People who are transgendered			There is no differential impact.
People who are in a marriage or civil partnership			There is no differential impact.
Women who are pregnant / on maternity leave			There is no differential impact.
Socio-economic impacts (Including impact on child poverty issues and deprivation)			There is no differential impact.
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			There is no differential impact.

10. Cumulative Council Impact

10.1 None

11. Cumulative Community Impacts

11.1 None