Brent	**Full Council** 16 November 2026
	Report from the Corporate Director of Finance & Resources

Changes to the Constitution

Wards Affected:	All
Key or Non-Key Decision:	Council
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
List of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Pameel Crowther-Newman, Interim Director of Law and Monitoring Officer 020 8937 4102 Pameel.Crowther-Newman@brent.gov.uk

1.0 Executive Summary

1.1. This report proposes constitutional changes to Full Council meeting standing orders (Part 2 of the Constitution) relating to appointments and the council tax debate which were previously reported to Full Council on 14 September 2026. Members will recall that these proposed changes were part of the same vote as the statutory Planning Committee reforms and were not approved on that occasion.

2.0 Recommendation(s)

2.1 That Full Council approve the amendments to Standing Orders 27(a), 30(g), 49 and 28(d) in Part 2 of the Constitution.

2.2 To authorise the Director of Law and Monitoring Officer to amend the Constitution accordingly, including making any necessary incidental or consequential changes.

3.0 Detail

3.1 Contribution to the Borough Plan and Strategic Priorities

3.1.1 Ensuring the Constitution is kept up to date and supportive of good governance contributes to the delivery of all the strategic priorities within the Borough Plan by supporting and enhancing the Council's activity.

3.2 Background

3.2.1 A general review of the provisions of the Constitution and its operation is being undertaken on an on-going basis to not only ensure it remains up to date and fit for purpose but also to secure improvements and deliver the objectives of the Council.

3.2.2 The proposals set out in this report have been informed by cross-party discussion at the Constitution Oversight Group (COG). COG is an informal officer/member working group. The political membership of the COG is balanced and COG has considered the proposals on two occasions.

4.0 Proposals

Full Council meeting standing orders

Appointment of the Mayor and Committee and Sub-Committee Chairs and Vice Chairs

4.1 The appointment of the mayor and committee chairs and vice-chairs is a Full Council function. Whereas, the relevant committee appoints sub-committee chairs and vice chairs. The council's standing orders relating to meetings would benefit from expressly stating the nomination and voting procedure for these appointments as follows:

"SO 27 The Annual Meeting
(a)* Mayor
To elect the Mayor for the following year.

Nominations for the Mayor shall be considered in the order in which they are received by the Deputy Director Democratic & Corporate Governance. Each nomination shall be put to the vote separately. Where a nomination receives a simple majority of the members present and voting, the nominee shall be appointed and no further nominations shall be considered. If a nomination is not approved, the next nomination shall be put to the vote until an appointment is made."

"SO 30(g) Appointments to Committees and Outside Bodies and Appointments of Chairs/Vice Chairs
If necessary, to agree appointments to committees and outside bodies and to agree the appointment or replacement of Chairs and/or Vice Chairs of committees.

Nominations for committee Chairs and/or Vice Chairs shall be considered in the order in which they are received by the Deputy Director Democratic & Corporate

Governance. Each nomination shall be put to the vote separately. Where a nomination receives a simple majority of the members present and voting, the nominee shall be appointed, and no further nominations shall be considered. If a nomination is not approved, the next nomination shall be put to the vote until an appointment is made."

"SO 49 Appointments to and chairs of Council Committees and Sub-Committees

…

Nominations for sub-committee Chairs and/or Vice Chairs shall be considered in the order in which they are received by the Deputy Director Democratic & Corporate Governance. Each nomination shall be put to the vote separately. Where a nomination receives a simple majority of the members present and voting, the nominee shall be appointed and no further nominations shall be considered. If a nomination is not approved, the next nomination shall be put to the vote until an appointment is made."

Council tax debate

4.2 SO 28(d) states that: *"The Chair of the Resources and Public Realm Scrutiny Committee shall be allowed up to 10 minutes to present the findings of the committee. A procedural motion shall address the right to speak of the Group Leaders and the Lead Member for Resources including time limits. There will then be [a] general debate. Provision shall also be made in the procedural motion for the Leader of the Council to have the right to make closing remarks with a time limit specified. Following which a vote will be taken."*

4.3 It is recommended that the Council Tax Setting debate rules be codified in standing orders in the interests of transparency, consistency and certainty. It is proposed therefore that the above be replaced with the following*:*

"Subject to Standing Order 19, the debate on the budget and council tax proposals shall proceed as follows:

(i) the Leader of the Council may move the report and speak for up to 15 minutes;

(ii) *the Deputy Leader and Cabinet Member for Finance & Resources may speak for up to 10 minutes;*

~~(i)~~(iii) *the Leader of the Principal Opposition Group may respond to the report and, where applicable, move an amendment or alternative budget proposals and speak for up to 5 minutes;*

~~*(ii)*~~*(iv) the Leader of each other political group may respond to the report and, where applicable, move an amendment or alternative budget proposals and speak for up to 5 minutes;*

(v) *the Chair of the Budget Scrutiny Task Group may speak for up to 5 minutes;*

(vi) *there shall then be a general debate during which the rules in standing order 42 shall apply; and*

(vii) *at the conclusion of the debate the Leader of the Council shall have a right of reply and may speak for up to 5 minutes before the vote is taken. Amendments or alternative budget proposals will be taken en bloc in the order set out in (iii) and (iv) of this paragraph before a final vote on the substantive budget proposals."*

5.0 Stakeholder and ward member consultation and engagement

5.1 The proposed changes have been considered by the Constitution Oversight Group twice.

6.0 Financial Considerations

6.1 None.

7.0 Legal Considerations

7.1 The legal issues are addressed in the body of the report.

8.0 Equity, Diversity & Inclusion (EDI) Considerations

8.1 Under section 149 of the Equality Act 2010, the council has a duty when exercising its functions to have "due regard" to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act and advance equality of opportunity and foster good relations between persons who share a protected characteristic and persons who do not. This is the public sector equality duty. The protected characteristics are age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.2 "Due regard" is the regard that is appropriate in all the circumstances. The weight to be attached to the effect is a matter for the council. As long as the council is properly aware of the effects and has taken them into account, the duty is discharged. Depending on the circumstances, regard should be had to the following:

- the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision;
- the need to remove or minimise disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic;
- the need to take steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not

share it. This includes taking account of disabled persons' disabilities. There can be a positive duty to take action to help a disabled person. What matters is how they are affected, whatever proportion of the relevant group of people they might be;

- the need to encourage persons who share a protected characteristic to participate in public life (or in any other activity in which participation by such persons is disproportionately low); and

- the need to tackle prejudice and promote understanding.

8.3 No equalities implications arise directly from this report.

9.0 Climate Change and Environmental Considerations

9.1 None

10.0 Human Resources/Property Considerations (if appropriate)

10.1 None

11.0 Communication Considerations

11.1 None

Report sign off:

Minesh Patel
Corporate Director, Finance & Resources