
Cabinet Member for Policing and Equalities
Council

23 March, 2026
24 March, 2026

Name of Cabinet Member:

Cabinet Member for Policing and Equalities - Councillor AS Khan

Director approving submission of the report:

Director of Law, Governance and Safer Communities

Ward(s) affected:

Not applicable

Title: Proposed Amendments to the Constitution - Various

Is this a key decision? No

Executive summary:

The Constitutional Advisory Panel, at its meeting on 25 February, 2026, considered a number of proposed amendments to the Constitution following a review to ensure that the Constitution is current, effective and meets requirements.

The Advisory Panel agreed with the proposed amendments with some additions. This report seeks approval from the Cabinet Member for Policing and Equalities to recommend those amendments to the Constitution (with the additions requested by the Constitutional Advisory Panel) to Council and for Council to approve those amendments.

Recommendations:

The Cabinet Member for Policing and Equalities is requested to recommend that Council approves:-

- 1) That the following paragraphs be inserted into Parts 1 and 2 of the Constitution:-

Main Opposition Group and Leader of the Main Opposition Group.

The Main Opposition Group is the Political Group that has the numerically largest opposition Group. The Leader of that Group is the Leader of the Main Opposition Group. In the event of there being one than more Group having the same numerically largest number of seats, all of those Groups will be afforded the same rights.

Shadow Cabinet Members

The Leader of the Main Opposition Group will be entitled to nominate Councillors to act as Shadow Cabinet Members. Shadow Cabinet Members have no decision-making powers but will be entitled to attend meetings in their role and speak at the discretion of the Cabinet Member. They will also be entitled to receive briefings in relation to their Shadow Portfolio.

- 2) The amendments to the Member Officer Protocol (Part 4D of the Constitution) as shown as tracked changes in the Appendix to this report.
- 3) That Paragraph 4.1 in Part 2D of the Constitution in relation to membership of the Scrutiny Co-ordination Committee and Scrutiny Boards be amended to read as follows.
 - 4.1 Councillors, except a member of the Cabinet, may be appointed as a member of a Scrutiny Board and the Scrutiny Co-ordination Committee. However, in order to ensure that no Member may be involved in scrutinising a decision in which they have been directly involved, no former Cabinet Member may sit on the Scrutiny Board relevant to the portfolio they held as a Cabinet Member or the Scrutiny Co-ordination Committee (if it relates to their former portfolio) for a period of 12 months. In addition, any Member who is appointed as a Deputy Cabinet Member may not be appointed to the Scrutiny Board or Scrutiny Co-ordination Committee which is relevant to the portfolio for which they have been appointed as a Deputy Cabinet Member.
- 4) That Paragraph 10.1.3 in Part 1 of the Constitution be amended to read as follows:-
 - 10.1.3 The office of Lord Mayor and Deputy Lord Mayor will be offered to the Councillor who has the longest service and has not previously held the office. If that Councillor declines that offer, then it is offered to the next person in order of length of service. Any Councillor who declines the offer may take up the offer in a subsequent year.
- 5) That the following Paragraph be inserted into the Council Procedure Rules (Part 3A of the Constitution) :-
 - 9.11 Every Motion made in pursuance of a Notice of Motion must be lawful and will be regarded as tentative only until this has been confirmed by the Monitoring Officer. If the Motion is considered to be unlawful, the Monitoring Officer will submit a report on this matter to the next meeting of Council. No action may be taken on the matter until the Council has considered the advice of the Monitoring Officer.
- 6) That the Director of Law, Governance and Safer Communities be delegated authority to determine all matters relating to street naming and numbering, including the naming and renaming of streets and the allocation of property numbers, following consultation

with the relevant Ward Councillors and relevant Cabinet Member and that the Scheme of Delegation (Part 2M of the Constitution) be updated accordingly.

Council is recommended to:-

- 1) Approve the amendments to the Constitution as detailed in Recommendations 1) to 6) above.
- 2) Delegate authority to the Director of Law, Governance and Safer Communities to make the necessary amendments to the Constitution.

List of Appendices included:

The following appendices are attached to the report:

Appendix 1 – Proposed amendments to the Member/Officer Protocol (Part 4D of the Constitution)

Background papers:

None

Other useful documents

None

Has it or will it be considered by Scrutiny?

No

Has it or will it be considered by any other Council Committee, Advisory Panel or other body?

Yes – The Constitutional Advisory Panel – 25 February, 2026

Will this report go to Council?

Yes - 24 March, 2026

Report title: Proposed Amendments to the Constitution

1. Context (or background)

- 1.1. The Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that decisions are efficient, transparent and accountable to local people. The purpose of the Constitution is to ensure that the Council's decision-making and governance arrangements help the Council to achieve its corporate aims, objectives and priorities effectively and efficiently. It also ensures the Council meets its legal duties.
- 1.2. The Monitoring Officer has authority to make minor changes (such as changes to Director's titles, updating legislative changes and typographical errors).
- 1.3. The Constitution is a living document and is regularly reviewed and benchmarked against other Local Authorities to ensure that it is current, effective, reflects best practice and is up to date. A number of proposed amendments have been identified as part of this process.

2. Options considered and recommended proposals

2.1 Definition of Main Opposition Group and Shadow Cabinet Members

There is currently no definition of the Main Opposition Group, the Leader of the Main Opposition Group or Shadow Cabinet Members. The Constitution refers to the "numerically largest opposition group" when referring to appointing non-voting reps on Cabinet and Coventry Shareholders Committee.

In relation to the Leader of the Main Opposition Group, they are referred to in the Constitution in relation to adjudication for rejecting petitions. In relation to Shadow Cabinet Members, there is a requirement to consult with them in some instances relating to Government Consultation Papers, however Shadow Cabinet Members are not defined.

It is therefore proposed that the following be inserted into Parts 1 and 2 of the Constitution:-

Main Opposition Group and Leader of the Main Opposition Group.

The Main Opposition Group is the Political Group that has the numerically largest opposition Group. The Leader of that Group is the Leader of the Main Opposition Group. In the event of there being one than more Group having the same numerically largest number of seats, all of those Groups will be afforded the same rights.

Shadow Cabinet Members

The Leader of the Main Opposition Group will be entitled to nominate Councillors to act as Shadow Cabinet Members. Shadow Cabinet Members have no decision-making powers but will be entitled to attend meetings in their role and speak at the

discretion of the Cabinet Member. They will also be entitled to receive briefings in relation to their Shadow Portfolio.

2.2 Amendments to the Member Officer Protocol – Part 4D of the Constitution

The Protocol aims to help elected Members and Senior Officers to set and promote clear expectations about how Members and Officers work together for the benefit of local residents and the good governance of the authority. It is common practice for the Protocol to be part of a Local Authority's Constitution.

The Local Government Association has recently published good practice guidance on Member Officer Protocols and Coventry's Protocol has been reviewed in light of that guidance. The current Protocol is attached as an Appendix to this Briefing Note and proposed amendments identified as part of the review are tracked on that document.

The Constitutional Advisory Panel requested that Paragraph 9 of the Protocol include the following wording (which has been included in the amendments shown in Appendix 1):-

“Chairs of Scrutiny Boards and other Bodies should also receive briefings as appropriate.”

2.3 Membership of Scrutiny Boards and the Scrutiny Co-ordination Committee

Currently the Constitution provides the following paragraph 4.1 in relation to the membership of Scrutiny Boards and the Scrutiny Co-ordination Committee in Part 2D:-

4.1 Any Councillor, except a member of the Cabinet, may be appointed as a member of a Scrutiny Board. However, no Member may be involved in scrutinising a decision in which they have been directly involved.

Approval is sought to the following two proposed amendments to this paragraph.

- a) It has been custom and practise for a number of years that Deputy Cabinet Members (who are Scrutiny Members) are not appointed to the Scrutiny Board that is relevant to the portfolio for which they were appointed as a Deputy Cabinet Member. It is therefore proposed that this arrangement be formalised by the addition of wording as detailed at 4.1 below.
- b) The current wording in 4.1 above would preclude a former Cabinet Member from scrutinising a decision that they had made as a Cabinet Member. However, it would not preclude them from being appointed to a Scrutiny Board that would have responsibility for potentially scrutinising those decisions. This may lead to the former Cabinet Member having to declare and leave meetings for particular items on an agenda. It is therefore proposed to add additional wording as detailed below.

The Constitutional Advisory Panel requested that the proposed amended wording also include reference to former Cabinet Members not being able to sit on the Scrutiny Co-

ordination Committee (as well as Scrutiny Boards) where it relates to their former portfolio.

Taking into account the proposed amendments detailed in a) and b) above, together with the request from the Constitutional Advisory Panel, it is proposed that Paragraph 4.1 in Part 2D be amended to read as follows.

4.1 Councillors, except a member of the Cabinet, may be appointed as a member of a Scrutiny Board and the Scrutiny Co-ordination Committee. However, in order to ensure that no Member may be involved in scrutinising a decision in which they have been directly involved, no former Cabinet Member may sit on the Scrutiny Board relevant to the portfolio they held as a Cabinet Member or the Scrutiny Co-ordination Committee (if it relates to their former portfolio) for a period of 12 months. In addition, any Member who is appointed as a Deputy Cabinet Member may not be appointed to the Scrutiny Board or Scrutiny Co-ordination Committee which is relevant to the portfolio for which they have been appointed as a Deputy Cabinet Member.

2.4 **Appointment of Lord Mayor and Deputy Lord Mayor**

For a number of years, due to the non-political nature of the roles and in recognition of their long serving dedication to public service by Councillors, the office of Lord Mayor and Deputy Lord Mayor has been offered to Councillors on the basis of their length of service.

The relevant paragraph is 10.1.3, Part 1 of the Constitution:-

“The office of Lord Mayor and Deputy Lord Mayor **by convention** will be offered to the Councillor who has the longest service and has not previously held the office. If that Councillor declines that offer, then it is offered to the next person in order of length of service. Any Councillor who declines the offer may take up the offer in a subsequent year.”

It is proposed to delete the words “by convention” from the above paragraph to make this clearer and to reflect the current custom and practise.

2.5 **Motions**

There is currently a paragraph in the Council Procedure Rules (Part 3A - Paragraph 9.9) which ensures that if a Motion adopted at a Council meeting pursuant to a Notice of Motion (which could include an amendment moved at the meeting) would increase expenditure or reduce income, then it is regarded as tentative only and if necessary, will be considered by the appropriate Body, to be referred back to the Council if appropriate. This ensures that if there were financial consequences of any amendment moved at the meeting to a Motion, (which would not be known in advance of the meeting) there is a mechanism to ensure that the decision-making body is fully aware of those consequences on the Council’s budget.

In order to provide a similar mechanism to ensure that any Motion adopted as a result of an amendment moved to a Notice of Motion is lawful, it is proposed to insert the

following paragraph in the Council Procedure Rules, which mirrors Paragraph 9.9 relating to any financial consequences: -

9.11 Every Motion made in pursuance of a Notice of Motion must be lawful and will be regarded as tentative only until this has been confirmed by the Monitoring Officer. If the Motion is considered to be unlawful, the Monitoring Officer will submit a report on this matter to the next meeting of Council. No action may be taken on the matter until the Council has considered the advice of the Monitoring Officer.

2.6 Street Naming and Numbering (SNN)

SNN is a legal function of local authorities, essential for ensuring that streets and properties are clearly identifiable for residents, emergency services, postal services (Royal Mail), and other users. Coventry City Council's approach to SNN has historically been based on long-standing national legislation and established good practice across the sector. Operationally, the Council's Building Control service administers SNN, maintaining the Local Land and Property Gazetteer and coordinating with Royal Mail, fire services, etc., for new address assignments.

Under the Council's Constitution, some aspects of SNN are already delegated to officers. For example, allocation of street numbers is explicitly delegated to the Director of Regeneration & Economy. However, street naming (assigning or changing street names) is not explicitly listed in the scheme of delegation. In practice, this function has been carried out under general officer delegations by the Director of Law, Governance and Safer Communities to ensure that decisions are made lawfully and impartially within the Council's governance arrangements. This means that up to now, officers (rather than Members) make SNN decisions, following policy guidelines and in consultation with relevant parties (e.g. emergency services and local Councillors informally), which helps ensure consistency and avoids politicisation of routine naming decisions.

In the absence of an explicit mention of "street naming" in the Constitution's Scheme of Delegation (Part 2M) and with upcoming changes in legislation and a desire to involve elected Members more formally in the process (without transferring decision-making entirely away from officers), in order to provide clarity and transparency in the Council's Constitution, approval is sought to the following delegation : -

That the Director of Law, Governance and Safer Communities be delegated authority to determine all matters relating to street naming and numbering, including the naming and renaming of streets and the allocation of property numbers, following consultation with the relevant Ward Councillors and relevant Cabinet Member.

3. Results of consultation undertaken

The proposed amendments outlined above were considered by the Constitutional Advisory Panel at their meeting on 25 February, 2026. All Political Group Leaders were invited to attend that meeting.

4. Timetable for implementing this decision

If approved by Council at their meeting on 24 March, 2026, the amendments will come into effect immediately.

5. Comments from Director of Finance and Resources and Director of Law, Governance and Safer Communities

5.1. Financial Implications

There are no specific financial implications arising from the recommendations within this report.

5.2. Legal Implications

There are no specific legal implications arising from the recommendations within this report. The Constitution ensures that the Council fulfils its legal duties.

The proposed amendment in paragraph 4.5 above relating to Motions will ensure that the Council only adopts Motions which are lawful.

6. Other implications

6.1. How will this contribute to the One Coventry Plan?

The Constitution ensures that the Council's decision-making and governance arrangements help the Council to achieve its corporate aims, objectives and priorities effectively and efficiently.

How is risk being managed?

Not applicable

6.2. What is the impact on the organisation?

None

6.3. Equalities / EIA?

Not applicable

6.4. Implications for (or impact on) climate change and the environment?

None

6.5. Implications for partner organisations?

None

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