

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COUNCIL - TUESDAY, 10 SEPTEMBER 2019

Report Title	UPDATE TO THE COUNCIL'S CONSTITUTION
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Purpose of report	To approve proposals to improve the Council's scrutiny function
Council priorities	Appropriate corporate governance feeds into all Council priorities
Implications:	
Financial/Staff	Additional meetings will require small increase in resourcing from the Democratic Services Team which can be accommodated within existing budgets.
Health and Safety	N/A
Risk Management	A strong scrutiny function will ensure the Council is governed in a compliant and transparent manner.
Equalities Impact Screening	N/A
Human Rights	N/A
Transformational Government	Clear and robust governance arrangements and procedures assist with the effective and efficient delivery of services and proper decision making
Comments of Head of Paid Service	Report is satisfactory
Comments of Section 151 Officer	Report is satisfactory
Comments of Deputy Monitoring Officer	As author, the report is satisfactory
Consultees	Corporate Leadership Team

Background papers	<u>Report to Council on 26 February 2019 – Review of the Council's Constitution</u>
Recommendations	<p>COUNCIL APPROVES:</p> <ol style="list-style-type: none"> 1. THAT THE COUNCIL'S CONSTITUTION IS AMENDED TO ALLOW ADDITIONAL SCRUTINY MEETINGS AS DESCRIBED IN THIS REPORT. 2. THAT COUNCIL AUTHORISES THE HEAD OF LEGAL AND COMMERCIAL SERVICES TO MAKE THE AGREED AMENDMENTS AND ANY CONSEQUENTIAL AMENDMENTS TO THE CONSTITUTION AND RE-ISSUE THE DOCUMENT.

1 INTRODUCTION

- 1.1 The Local Government Act 2000 introduced a new political management system for local councils in England and Wales, requiring them to have a separate 'executive' in the form of a leader, or elected mayor, and cabinet. To provide a counterweight for this, the Act also introduced the concept of 'overview and scrutiny', whereby every council with an executive management structure is required to have an overview and scrutiny committee. This enables the rest of the council to scrutinise the executive by investigating its decisions and policies, and publish reports and recommendations where any issues are identified.
- 1.2 At its meeting on 26 February 2019, Council noted the increased role that the Authority's scrutiny committee was carrying out and expanded the scrutiny function, from one committee meeting six times per year, to two committees each meeting five times per year.

2 SCRUTINY DURING BUDGET SETTING

- 2.1 The Corporate Leadership Team have considered the role that the Corporate Scrutiny Committee will play in the budget setting process. Given the importance, complexity and profile of this process, senior officers recommend that an additional meeting of the Corporate Scrutiny Committee is provided for in the Constitution.
- 2.2 In coming to this conclusion, senior officers noted that there was little flexibility to allow extra meetings of the Scrutiny Committees should urgent business arise. Therefore it is further recommended that the Chief Executive, in consultation with the Chair of the relevant Scrutiny Committee, be empowered to convene additional meetings of either Scrutiny Committee to consider urgent business.

3 AMENDMENTS TO THE CONSTITUTION

- 3.1 In order to effect the additional meetings recommended above, minor changes need to be made to the following sections of the Constitution:
 - 3.1.1 Paragraph 2.1.3 of Section 5 (Bodies Exercising Council Functions) of Part 3 (Responsibility for Functions)
 - 3.1.2 Paragraph 4 of the Scrutiny Procedure Rules in Part 4 (Rules of Procedure).

3.2 The proposed amendments are drafted in Appendix A.