



Meeting: **Constitution Committee**

Date/Time: **Monday, 23 June 2025 at 2.00 pm**

Location: **Goscote Committee Room, County Hall, Glenfield**

Contact: **Mrs J Twomey (Tel: 0116 305 2583)**

Email: **Joanne.twomey@leics.gov.uk**

Membership

Mr. D. Harrison CC Mrs D. Taylor CC
Mr. M. T. Mullaney CC

AGENDA

<u>Item</u>	<u>Report by</u>
1. Appointment of Chairman	
2. Appointment of Vice Chairman	
3. Minutes of the meeting held on 25 February 2025	(Pages 3 - 6)
4. Question Time.	
5. Questions asked under Standing Order 7(3) and 7(5).	
6. To advise of any other items which the Chairman has decided to take as urgent.	
7. Declarations of interest.	
8. Revision of the Constitution.	Chief Executive (Pages 7 - 12)
9. Any other items which the Chairman has decided to take as urgent.	



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Minutes of a meeting of the Constitution Committee held at County Hall, Glenfield on Tuesday, 25 February 2025.

PRESENT

Mrs D. Taylor CC (in the Chair)

Mr. R. Ashman CC
Mr. M. T. Mullaney CC
Mr. O. O'Shea JP CC

Mr J. Poland CC
Mrs. P. Posnett MBE CC

32. Minutes of the previous meeting.

The minutes of the meeting held on 21 January 2025 were taken as read, confirmed and signed.

33. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

34. Questions asked by members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

35. Urgent items.

There were no urgent items for consideration.

36. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

37. Report of the Independent Remuneration Panel on Members' Allowances

The Committee considered a report of the Chief Executive which presented a report of the Independent Remuneration Panel which had been convened to consider the payment of a Special Responsibility Allowance to the Chairmen of the Local Pension Committee and Board, and review the Travel and Subsistence Rates. A copy of the report, marked 'Agenda Item 6', is filed with these minutes.

Mr. J. Poland CC stated that in his role as Conservative Group Whip members often mentioned to him the amount of work there was for members of the Local Pension Committee and the Local Pension Board and therefore he was in support of the recommendation.

RESOLVED:

That:

- (a) The Chairman of the Local Pension Committee receive a Special Responsibility Allowance of £5,209.00 per annum.
- (b) The Chairman of the Local Pension Board receive a Special Responsibility Allowance of £2,318.00 per annum.
- (c) The new Special Responsibility Allowances for the Chairmen of the Local Pension Committee and Board be index linked on an annual basis in accordance with the level of indexation set out in the Members' Allowance Scheme.
- (d) The current levels of Travel and Subsistence allowances remain unchanged.

38. County Council Elections 2025 - Scale of Election Expenses.

The Committee considered a report of the Chief Executive which sought approval with regards to a Scale of Fees to be used at the County Council elections in May 2025. A copy of the report, marked 'Agenda Item 7', is filed with these minutes.

RESOLVED:

- (a) That the scale of expenses attached to the report be used at the County Council elections to be held on 1 May 2025 and for any subsequent by- elections held before 31st March 2026.
- (b) That the Chief Executive be authorised to fix a scale for the purpose of by-elections occurring between 1st April 2026 and the next County Council elections.

39. Exclusion of the Press and Public

RESOLVED:

That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972:

- Charitable Trusts Update and Grant Application.

40. Charitable Trusts Update and Grant Application

The Committee (sitting as Trustee) considered an exempt report of the Director of Law and Governance which gave up update on progress in relation to the transfer of educational trusts in line with previous decisions of the Trustee, to consider a grant application from Kibworth Mead Academy and to note the review of the governance arrangements as recommended by the Charity Commission. A copy of the report, marked 'Agenda Item 10', is filed with these minutes.

RESOLVED:

That:

- (a) The annual report of the Leicestershire Educational Trust Fund be noted.
- (b) The transfer of the Hinckley John Cleveland Prize and Hinckley John Cleveland Scholarship Fund to the Hinckley JCC Foundation, subject to charity commission approval and agreement by the Foundation to terms relating to the transfer, be agreed.
- (c) The ongoing discussions relating to the Mary Smith Scholarship Fund and the Piercy Scholarship Fund/Thompson Trust be noted.
- (d) The grant application submitted by the Mead Academy Trust be agreed, subject to The Mead Educational Trust signing a grant agreement letter indicating acceptance of the terms and conditions of the grant which are:
 - i) compliance with any due diligence checks identified in the grants policy which may be relevant to the application;
 - ii) agreement to proportionate monitoring of the use of the grant including verification that it is used for the purposes agreed in line with the grants policy;
 - iii) profiling of the drawdown of the grant to be agreed with the Director of Corporate Resources.
- (e) The Charity Commission governance checklist be noted.

11.30 - 11.44 am
25 February 2025

CHAIRMAN

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CONSTITUTION COMMITTEE – 23rd JUNE 2025

REPORT OF THE CHIEF EXECUTIVE

REVISION OF THE CONSTITUTION

Purpose of the Report

1. The purpose of this report is to recommend changes to the terms of reference of the Council's Overview and Scrutiny Bodies set out in Table A of Part 2 of the Council's Constitution.

Background

2. Article 15 of the County Council's Constitution gives the Chief Executive a duty to monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. It requires that changes to the document should only be approved by the full County Council after consideration of the proposal by the Chief Executive and the Constitution Committee or, in the case of Financial Procedure Rules, Contract Procedure Rules and Members' Code of Conduct, the recommendations of the Corporate Governance Committee.

Review of Scrutiny Arrangements

2. Following the election and the Leader's appointment to his Cabinet the terms of reference of the Council's overview and scrutiny committees have been reviewed to align with the newly appointed Cabinet Lead Member portfolios.
3. The changes made are to reflect that the Leader has appointed a Lead Member for Environment and Flooding and a Lead Member for Highways, Transport and Waste. The Environment and Climate Change and Highway and Transport Overview and Scrutiny Committees have therefore been renamed to reflect this and the functions regarding flood risk and waste management exchanged between the two.
4. In undertaking these changes the Scrutiny Commission terms of reference have also been amended to provide clarity regarding property energy efficiency matters, which will now fall within its remit. Reference to the Leicester and Leicestershire Local Enterprise Partnership and the Leicester and Leicestershire Transport Board has also been removed and

replaced with the establishment of the Leicester and Leicestershire Business and Skills Partnership.

5. The Adults and Communities and Children and Families Overview and Scrutiny Committees' terms of reference remain unchanged.
6. There will be consequential amendments to the Constitution arising from the changes now proposed.

Recommendation

That the County Council be recommended to approve the proposed changes to the terms of reference of the Council's Overview and Scrutiny Committees, as set out in Appendix A to this report and to consequential amendments being made to the Constitution.

Background Papers

The Constitution of Leicestershire County Council.

Circulation under Local Issues Alert Procedure

None.

Officer to Contact

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Equality and Human Rights Implications

None.

SCHEDULE 3 TABLES

TABLE A

Overview and scrutiny committees (Article 6.01)

[Note:

- *Articles 2.03(b) of this Constitution states that all County Councillors will act in the capacity to which they are elected to the County Council and not speak on behalf of any other local authority whilst they are acting as a County Councillor. This applies when overview and scrutiny committees consider matters which also affect district councils, for example growth and associated infrastructure items.*
- *Neither the Scrutiny Commission nor any of the other overview and scrutiny committees or subcommittees are empowered to take decisions or exercise any responsibilities of the Executive or County Council or Health Service bodies. The general role and specific functions are described in Article 6 and for the purposes of that Article the Scrutiny Commission is regarded as an overview and scrutiny committee for those matters which come within its scope.]*

Committee	Scope
Scrutiny Commission	<ol style="list-style-type: none"> 1. The executive functions of the County Council in respect of (but not limited to): <ol style="list-style-type: none"> (i) The Budget (the revenue budget and capital programme) (ii) Strategic and Operational Property including property energy efficiency and the Investing in Leicestershire Programme (iii) Information and Communications Technology (ICT) (iv) Leicestershire Traded Services and Customer Services (v) Growth and associated Infrastructure (vi) Corporate Transformation and Ways of Working (i) Working with Communities (ii) Corporate Performance, complaints and compliments. 2. Any functions which are not specifically within the scope of any other overview and scrutiny committee. 3. To act as the Crime and Disorder Committee in accordance with Section 19 of Part 3 of the Police and Justice Act 2006 and work with the Police and Crime Panel to scrutinise the delivery of effectiveness of measures aimed at reducing crime and disorder. 4. To monitor the performance and activities of: <ol style="list-style-type: none"> (a) The Leicester and Leicestershire Business and Skills Partnership;

Committee	Scope
	<p>(b) The Leicester and Leicestershire Transport Board; (b) Any other partnerships that are associated with the executive functions outlined above and not within the scope of any other overview and scrutiny committee.</p> <p>5. Oversight and co-ordination of the work of the overview and scrutiny committees and scrutiny review panels.</p> <p>6. Resolving any disagreements between overview and scrutiny committees.</p> <p><i>[Note:</i></p> <p><i>The scope of the Scrutiny Commission will not extend to exercising functions relating to the scrutiny of:</i></p> <ul style="list-style-type: none"> • Any matters linked to the Council's Green Agenda such as energy from the Council's property portfolio which will be a matter for the Environment and Climate Change Overview and Scrutiny Committee; • Operational Transformation within service departments which will be a matter for each of the service related overview and scrutiny committee; • the National Health Service in the County, which will be a matter for the designated scrutiny committee. <p><i>See Rule 2A of the Overview and Scrutiny Procedure Rules (Part 4E) for the functions of the Scrutiny Commissioners.]</i></p>
Children and Families	<p>1. The executive functions of the County Council in respect of Children and Family Services.</p> <p>2. To monitor the performance and activities of any partnerships that are associated with the executive functions outlined in 1. above.</p>
Adults and Communities	<p>1. The executive functions of the County Council in respect of the Adults and Communities Department.</p> <p>2. To monitor the performance and activities of any partnerships that are associated with the executive functions outlined in 1. above.</p>
Highways, Transport and Waste	<p>1. The executive functions of the County Council in respect of Highways, Transport and Waste Management within the Environment and Transport Department.</p> <p>2. To monitor the performance and activities of the Flood Risk Management Board in accordance with Section 9FH of</p>

Committee	Scope
	<p>Schedule 2 of the Localism Act 2011.</p> <p>2. To monitor the performance and activities of any partnerships that are associated with the executive functions outlined in 1. and 2. above.</p>
Environment and Flooding	<p>1. The executive functions of the County Council in respect of the Council's Environment Agenda and Flooding Risk</p> <p>(a) Environment and Waste Management Services within the Council's Environment and Transport Department;</p> <p>(b) Climate Change and delivery of the Council's Green Agenda including Green spaces.</p> <p>2. To monitor the performance and activities of the Flood Risk Management Board in accordance with Section 9FH of Schedule 2 of the Localism Act 2011.</p> <p>3. To monitor the performance and activities of any partnerships that are associated with the executive functions outlined in 1. above.</p>
Health	<p>1. The executive functions of the County Council in relation to Public Health.</p> <p>2. To monitor the performance of the Health and Wellbeing Board in respect of the executive functions outlined in 1. above and any other partnerships as appropriate that are associated with those functions.</p> <p>3. <u>Health Service Functions</u></p> <p>(a) The exercise by health bodies of functions which affect the area of the County Council;</p> <p>(b) Arrangements for responding to consultation by local health bodies for substantial development of the health service or substantial variation in the provision of such services save where these are dealt with through a joint committee with other Social Services authorities.</p>

[Note: Article 6.09 makes provision for the County Council to establish a joint committee with other Social Services authorities, to scrutinise any health issue or consultation which has an area larger than the County Council where it considers it necessary or is required to do so.]

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