



*Meeting:* **Constitution Committee**

*Date/Time:* **Tuesday, 29 July 2025 at 12.00 pm**

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

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

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

### **Membership**

Mr D. Harrison CC (Chairman)

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

### **AGENDA**

<u>Item</u>	<u>Report by</u>	
1. Minutes of the meeting held on 23 June 2025.		(Pages 3 - 4)
2. Question Time.		
3. Questions asked under Standing Order 7(3) and 7(5).		
4. To advise of any other items which the Chairman has decided to take as urgent.		
5. Declarations of interest.		
6. Revision of the Constitution	Chief Executive	(Pages 5 - 12)
7. 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 Monday, 23 June 2025.

PRESENT

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

Mrs D. Taylor CC

1. Appointment of Chairman

RESOLVED:

That Mr. D. Harrison CC be appointed Chairman for the period ending with the date of the Annual Meeting of the County Council in 2025.

Mr D. Harrison CC in the Chair

2. Appointment of Vice Chairman

RESOLVED:

That Mrs D. Taylor CC be elected Vice Chairman for the period ending with the date of the Annual meeting of the County Council in 2025.

3. Minutes of the previous meeting.

The minutes of the meeting held on 25 February 2025 were taken as read, confirmed and signed.

4. Question Time.

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

5. Questions asked by members.

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

6. Urgent Items.

There were no urgent items for consideration.

7. 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.

8. Revision of the Constitution.

The Committee considered a report of the Chief Executive, the purpose of which was to seek approval of proposed 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. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

RESOLVED:

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

2.00 - 2.03 pm  
23 June 2025

CHAIRMAN



## **CONSTITUTION COMMITTEE – 29<sup>th</sup> JULY 2025**

### **REPORT OF THE CHIEF EXECUTIVE**

### **REVISION OF THE CONSTITUTION**

#### **Purpose of the Report**

1. The purpose of this report is to ask members to consider whether they wish to make 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, following a previous proposal being voted against by the full Council at its meeting on 2<sup>nd</sup> July.

#### **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**

3. As previously presented to this Committee in June, following the election and the Leader's appointment to his Cabinet the terms of reference of the Council's overview and scrutiny committees need to be reviewed to align with the newly appointed Cabinet Lead Member portfolios.
4. The proposed changes to the terms of reference which were considered by this Committee on 23<sup>rd</sup> June included changing the name of the Environment and Climate Change Overview and Scrutiny Committee to the Environment and Flooding Overview and Scrutiny Committee. These changes were presented to the Council at its meeting on 2 July, but were not approved, due to concerns regarding the removal of reference to climate change from both the Committee title and its terms of reference.

5. The options available to address the Council's decision are to change the current Environment and Climate Change Overview and Scrutiny Committee:
  - (a) to the 'Environment and Flooding Overview and Scrutiny Committee' **and** include the following into its terms of reference:
 

"1. The executive functions of the County Council in respect of the Council's Environment Agenda, **including Climate Change**, and Flooding Risk.

OR
  - (b) to the 'Environment, Flooding **and Climate Change** Overview and Scrutiny Committee' **and** include the following into this Committee's terms of reference:
 

"1. The executive functions of the County Council in respect of the Council's Environment Agenda, **including Climate Change**, and Flooding Risk."
6. As previously reported, the Scrutiny Commission's 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.
7. The Adults and Communities and Children and Families Overview and Scrutiny Committees' terms of reference remain unchanged.
10. There will be consequential amendments to the Constitution arising from the changes now proposed.

### **Recommendation**

11. The Committee is recommended to:
  - (a) Agree one of the options to change the Scrutiny terms of reference as set out in paragraph 5 above;
  - (b) That, subject to (a) above, the County Council be recommended to approve the proposed changes and those changes 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.

The Constitution Committee, 23 June 2025 – Review of Constitution -  
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=150&MId=8197&Ver=4>

Council, 2 July 2025 – Review of Constitution -  
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=7859&Ver=4>

**Circulation under Local Issues Alert Procedure**

None.

**Officer to Contact**

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**Equality and Human Rights Implications**

None.

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### 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
<p style="text-align: center;"><b>Scrutiny Commission</b></p>	<ol style="list-style-type: none"> <li>1. The executive functions of the County Council in respect of (but not limited to):               <ol style="list-style-type: none"> <li>(i) The Budget (the revenue budget and capital programme)</li> <li>(ii) Strategic and Operational Property <b>including property energy efficiency</b> and the Investing in Leicestershire Programme</li> <li>(iii) Information and Communications Technology (ICT)</li> <li>(iv) Leicestershire Traded Services and Customer Services</li> <li>(v) Growth and associated Infrastructure</li> <li>(vi) Corporate Transformation and Ways of Working</li> <li>(i) Working with Communities</li> <li>(ii) Corporate Performance, complaints and compliments.</li> </ol> </li> <li>2. Any functions which are not specifically within the scope of any other overview and scrutiny committee.</li> <li>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.</li> <li>4. To monitor the performance and activities of:               <ol style="list-style-type: none"> <li>(a) The Leicester and <b>Leicestershire Business and Skills Partnership;</b></li> </ol> </li> </ol>

Committee	Scope
	<p><del>(b) The Leicester and Leicestershire Transport Board;</del>  (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"> <li><del>• 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;</del></li> <li>• Operational Transformation within service departments which will be a matter for each of the service related overview and scrutiny committee;</li> <li>• the National Health Service in the County, which will be a matter for the designated scrutiny committee.</li> </ul> <p><i>See Rule 2A of the Overview and Scrutiny Procedure Rules (Part 4E) for the functions of the Scrutiny Commissioners.]</i></p>
<b>Children and Families</b>	<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>
<b>Adults and Communities</b>	<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>
<b>Highways, Transport and Waste</b>	<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><del>2. To monitor the performance and activities of the Flood Risk Management Board in accordance with Section 9FH of</del></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>
<p><b>Environment and Flooding [and Climate Change]</b></p>	<p>1. The executive functions of the County Council in respect of <b>the Council's Environment Agenda, including Climate Change, and Flooding Risk</b></p> <p>(a) <del>Environment and Waste Management Services within the Council's Environment and Transport Department;</del></p> <p>(b) <del>Climate Change and delivery of the Council's Green Agenda including Green spaces.</del></p> <p>2. <b>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.</b></p> <p>3. To monitor the performance and activities of any partnerships that are associated with the executive functions outlined in 1. above.</p>
<p><b>Health</b></p>	<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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