



CONSTITUTION COMMITTEE – 19th NOVEMBER 2021

REPORT OF THE CHIEF EXECUTIVE

REVIEW AND REVISION OF THE CONSTITUTION

Purpose of the Report

1. The purpose of this report is to recommend changes to the Constitution as part of this year's annual review.

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 the Financial Procedure Rules and Contract Procedure Rules, the recommendations of the Corporate Governance Committee.
3. In the case of everything except the Meeting Procedure Rules the final decision on changes can be made at a single meeting of the County Council. However, in the case of the Meeting Procedure Rules any motion to add, to vary or revoke Standing Orders must, having been proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
4. The Constitution has been reviewed on an annual basis every year since it came into effect in June 2001. This report sets out the results of the latest review.

Key Changes

5. The changes largely relate to corrections and to bring the Constitution in line with changes in legislation and current and good practice.
6. The terms of reference of the Health and Wellbeing Board and the Corporate Governance Committee have been updated. The General Scheme of Delegation has also been updated to provide greater clarity

and the delegations to the Chief Executive have been extended in light of recent experiences following the onset of the Covid-19 pandemic.

7. A change is also proposed to Standing Order 35 which currently places responsibility on the Scrutiny Commission to review the adequacy of the response to a petition should this be requested by a petitioner. Members will be aware that following changes made to the petition scheme in 2017 the majority of petitions are now dealt with at officer level and not at Scrutiny Committees. Also, a petition can be received by a Regulatory body. The change therefore provides for a centralised system for dealing with concerns regarding how a petition has been handled whether by an officer or a Scrutiny or Regulatory body.

Recommendation

8. That the County Council be recommended to approve the proposed changes to the Constitution as set out in the appendices attached to this report.

Equality and Human Rights Implications

There are no equalities and human rights implications arising from this report.

Background Papers

The Constitution of Leicestershire County Council.

Circulation under Local Issues Alert Procedure

None.

Officers to Contact

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Appendices

Appendix A – Proposed Changes to the Constitution 2021
Appendix B – Revised Petitions Scheme