

REPORT OF THE CONSTITUTION COMMITTEE

A. REVIEW AND REVISION OF THE CONSTITUTION

Introduction

1. This report concerns 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 largely relates to corrections and to bring the Constitution in line with changes in legislation and current and good practice. The Council's attention is specifically drawn to the following:-

Health and Wellbeing Board

5. The terms of reference of the Health and Wellbeing Board and the Corporate Governance Committee have been updated.

General scheme of delegation

6. The general scheme of delegation has been updated to provide greater clarity and the specific delegations to the Chief Executive have been extended in the light of recent experiences following the onset of Covid.

Petitions

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.

Decision of the Constitution Committee

8. The Constitution Committee at its meeting on 19th November supported the changes proposed its recommendation is set out in the motion below: -

(Motion to be moved:-

Motion 1

- (a) That the proposed changes to the Constitution, as set out in the Appendices to this report, other than those which relate to Standing Orders (the Meeting Procedure Rules), be approved;**

Motion 2 – Procedural Motion in accordance with Standing Order 37

- (b) That the changes to Standing Order 35 (7) (The Meeting Procedure Rules), as set out in Appendix A to this report, be approved.”**

(NOTE:- Standing Order 37 requires that this procedural motion, having been moved and seconded, stands adjourned until the next ordinary meeting of the Council.)

19th November 2021

Mr N J Rushton CC
Chairman

Background Papers

[The Constitution of Leicestershire County Council.](#)

Appendices

Appendix A – Proposed Changes to the Constitution
Appendix B – Petitions Scheme for Leicestershire