



CONSTITUTION COMMITTEE – 25th NOVEMBER 2022

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 made are to bring the Constitution in line with changes in legislation and current good practice. The main changes relate to membership of, and the terms of reference for, the Corporate Governance Committee made in light of new CIPFA guidance received in October 2022.

6. The delegation to the Director of Law and Governance has also been amended in the Articles (Article 14.03) to reflect new Regulations on the making of severance payments to staff.

Members Allowances

7. The Members' Allowance Scheme set out in Part 6 of the Council's Constitution, makes provision for Members' basic and special responsibility allowance to be adjusted on an annual basis in line with the Local Government Employee pay award. This year Local Government employees received a flat rate increase of £1925 per annum across all pay points.
8. Following consultation with all political groups, Members agreed that the application of the flat rate offer to Member allowances would be disproportionate and so agreed to freeze their allowances at the 2021/22 rate.

Recommendation

9. That the County Council be recommended to approve the proposed changes to the Constitution as set out in Appendix A and B attached to this report.

Equal Opportunities 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 Terms of Reference for Corporate Governance Committee