

REPORT OF THE CONSTITUTION COMMITTEE

A. REVISION OF THE CONSTITUTION

Introduction

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

3. As previously presented to full Council in July, 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 full Council on 2nd July 2025 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 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 were presented to the Constitution Committee for consideration at its meeting on 29 July 2025. Two options were presented to change the current Environment and Climate Change Overview and Scrutiny Committee as follows:
 - (a) to change the name of the Committee 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 change the name of the Committee 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. The Constitution Committee unanimously agreed to option (b) which is now set out in the Appendix attached to this report.
7. 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.
8. The Adults and Communities and Children and Families Overview and Scrutiny Committees' terms of reference remain unchanged.
9. There will be consequential amendments to the Constitution arising from the changes now proposed.

Resource Implications

10. There are no resource implications arising from this report.

Equality Implications

11. There are no discernible equality implications arising from the recommendations in this report.

Consideration by the Constitution Committee

12. The Constitution Committee at its meeting on 23 June considered the proposed revisions of the Constitution as set out above and in the Appendix. The decision of the Constitution Committee is reflected in the motion below.

(Motion to be moved: -

That the proposed changes to the terms of reference of the Council's Overview and Scrutiny Committees, as set out in the Appendix to this report, and any consequential amendments to the Constitution required as a result of these changes, be approved.)

29 July 2025

**Mr D Harrison CC
Chairman of the
Constitution Committee**

Background Papers

Report of the Chief Executive to the Constitution Committee on 23 June – Revision of the Constitution

<https://democracy.leics.gov.uk/mgCommitteeDetails.aspx?ID=150>

Report of the Constitution Committee to the County Council on 2 July 2025 – Review of the Constitution

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=7859&Ver=4>

Report of the Chief Executive to the Constitution Committee on 29 July 2025 – Revision of the Constitution

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=150&MId=8227&Ver=4>

Appendix

Appendix – Proposed Changes to the Constitution

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