

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
MONITORING OFFICER	COUNCIL	8 MAY 2024	8
CONSTITUTION AMENDMENT - ROUTE TO SCRUTINY			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Finance and Resources (Councillor Ellie Gaunt).

PURPOSE OF THE REPORT

To propose an amendment to the constitution to outline the pathway for members to ask the scrutiny committee to consider including a relevant matter in its workplan.

The Audit and Governance Committee considered the matter at its meeting on 11 April 2024 and recommended to council that the constitution be amended accordingly.

RECOVERABILITY

This decision is not recoverable because it relates to:

- A recommendation to the council or to any other committee or sub-committee of the council

RECOMMENDATION

1. To amend the constitution to include the following paragraph;

X.1 Any member of the council can refer a matter for request to be included in a scrutiny workplan.

X.2 Requests must be made in writing to the Deputy Chief Executive (or a member of the Scrutiny Team in their absence) and may include a supporting statement of no more than 100 words.

X.3 A request will be placed on the agenda of the relevant committee at its next available meeting, The "next available" meeting means the first meeting falling more than ten working days after the Deputy Chief Executive receives the request, unless it is practicable to include the request as an agenda item at an earlier meeting, in which case it means that earlier meeting. Any supporting statement will be included in the agenda along with the request.

X.4 The committee will deliberate and decide whether to include the requested matter in its workplan. If the committee decides against inclusion, it should set out a concise reason for its decision.

REPORT

1. Regulation 6 of the Local Government (Committee Systems) (England) Regulations 2012 provides that;
 - (1) The local authority must ensure that it enables—
 - (a) any member of an overview and scrutiny committee of the authority to refer to the committee any matter which is relevant to the functions of the committee;
 - (b) any member of a sub-committee of an overview and scrutiny committee of the authority to refer to the sub-committee any matter which is relevant to the functions of the sub-committee; and
 - (c) any member of the authority to refer to an overview and scrutiny committee of the authority of which the member of the authority is not a member any matter which is relevant to the functions of the committee and is not an excluded matter.
 - (2) For the purposes of paragraph (1), a local authority enables a person to refer a matter to a committee or sub-committee if it enables the person to ensure that the matter is included in the agenda for, and discussed at, a meeting of the committee or sub-committee.
2. As such the constitution does not explicitly lay out the procedure by which members of the council can request that the relevant scrutiny committee considers including a relevant matter in its workplan.
3. It is therefore proposed that the constitution be amended to include a pathway.
4. The following is outlined to address this:

X.1 Any member of the council can refer a matter for request to be included in a scrutiny workplan.

X.2 Requests must be made in writing to the Deputy Chief Executive (or a member of the Scrutiny Team in their absence) and may include a supporting statement of no more than 100 words.

X.3 A request will be placed on the agenda of the relevant committee at its next available meeting, The “next available” meeting means the first meeting falling more than ten working days after the Deputy Chief Executive receives the request, unless it is practicable to include the request as an agenda item at an earlier meeting, in which case it means that earlier meeting. Any supporting statement will be included in the agenda along with the request.

X.4 The committee will deliberate and decide whether to include the requested matter in its workplan. If the committee decides against inclusion, it should set out a concise reason for its decision.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	√
Environment – To deliver services customers expect	√
Efficiency – By spending money in the most efficient way	√
Tourism – To create a great place to live and visit	√

IMPLICATIONS	
Finance	None arising from this report
Legal	None arising from this report
Community Safety	None arising from this report
Human Rights and Equalities	None arising from this report

Sustainability and Environmental Impact	None arising from this report
Health & Safety and Risk Management	None arising from this report

SUMMARY OF PREVIOUS DECISIONS
Audit and Governance Committee 11 April 2024 – To recommend to council to amend the constitution accordingly

BACKGROUND PAPERS REVELANT TO THIS ITEM		
Name of document	Date	Where available for inspection
N/A		

LEAD AUTHOR	CONTACT DETAILS	DATE
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