



Governance Scrutiny Group

Thursday, 28 September 2023

Changes to the Constitution – Creation of a Member Working Group

Report of the Monitoring Officer

1. Purpose of report

- 1.1. Members will recall that at the meeting on the 29 June 2023, a report summarising proposed changes to the Council's Constitution was presented to the Group for consideration and comment.
- 1.2. Several of the proposed changes generated lengthy debate and the Group was unable to provide comments on which all agreed. As a result, these changes were not subsequently presented to Council to consider and remain outstanding. The Group is asked to note the decision to create a Working Group to consider the outstanding changes and to nominate two members of the Group to sit on this Working Group.

2. Recommendation

It is RECOMMENDED that Governance Scrutiny Group:

- a) Notes the decision to create a Member Working Group to finalise the proposed changes to the Constitution in relation to Planning
- b) Nominates two members of the group to sit on the Member Working Group.

3. Reasons for Recommendation

- 3.1. The Council has a duty to keep its Constitution up to date and is required to review it annually.
- 3.2. Several of the revisions recommended by Officers this year remain outstanding, and it is considered that the creation of a Working Group is the best way to progress these and bring this work to a conclusion. The final proposed revisions will be reported back to this Group for comment before being taken to Council for a decision.

4. Supporting Information

- 4.1. The outstanding revisions relate solely to Planning matters. When the issues under consideration were last reviewed, this work was undertaken in consultation with the Chair and Vice Chair of the Planning Committee and

reported to Cabinet, and subsequently approved by full Council. It is considered that this worked well previously, hence the decision to take the same approach again. The Working Group will consist of the Portfolio Holder for Planning, the Chair and Vice Chair of the Planning Committee and two members of the Governance Scrutiny Group.

5. Risks and Uncertainties

- 5.1. The Council is required to undertake an annual review of its Constitution and ensure that it complies with the law. Failure to undertake a review of the Constitution risks a legal challenge of decisions taken.

6. Implications

6.1. Financial Implications

There are no direct financial implications arising from these proposals.

6.2. Legal Implications

Under section 37 of the Local Government Act 2000, the Council has a duty to keep its Constitution up to date and that section also prescribes its minimum content. The proposals in this report comply with those requirements.

6.3. Equalities Implications

No implications as the alterations proposed to the Constitution do not involve new or changing policies, services or functions, or financial decisions that will have an effect on services.

6.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no direct Section 17 implications.

6.5. Biodiversity Net Gain

There are no Biodiversity Net Gain implications.

7. Link to Corporate Priorities

The Environment	The proposed revisions should make it easier for members of the public, Councillors and officers to access, and use, materials, which are essential to effective and efficient democratic decision-making.
Quality of Life	
Efficient Services	
Sustainable Growth	

8. Recommendations

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For more information contact:	Gemma Dennis Monitoring Officer gdennis@rushcliffe.gov.uk
Background papers available for Inspection:	None
List of appendices:	None